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Youth in Adult Prisons:

An Evaluation of the Youthful Offender Program

and Therapeutic Community in Texas

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Youth in Adult Prisons:

An Evaluation of the Youthful Offender Program

and Therapeutic Community in Texas

by

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Dedication

This dissertation is dedicated to Mike, Mom, and Dad.

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Youth in Adult Prisons:

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Recent juvenile justice reforms aimed at increasing the certainty and severity of punishment also have increased the likelihood that youthful offenders will enter the adult prison system. In response to this distinct population, the Texas Department of Criminal Justice (TDCJ) established the Youthful Offender Program (YOP) for all incarcerated offenders younger than 18 years of age. A central feature of the YOP is the therapeutic community (TC) – primarily for minimum security offenders. Analyses of the participants are largely descriptive; to date, there have been no known evaluations of the TC. Interview and survey data from security and treatment staff at five youth-oriented prisons in Texas, including the Clemens Unit which houses all male offenders in the YOP, suggest youthful offenders are different from adult offenders. As such, they enter prison with a variety of needs and require more time and supervision. Using TDCJ individual-level data of YOP participants from 1996–2002, a treatment group (i.e., TC participants) and a control group (i.e., non-participants) were constructed to assess the

impact of participation in the TC on institutional adjustment as measured by the infractions. Descriptive statistics, independent samples t-tests, and chi-square analyses were conducted and discussed. Results from a Cox proportional hazard model indicate participation in the TC does not have an effect on time-to-failure (i.e., disciplinary infractions) within the one-year observation period. A sample of TC participants with short time lags between entry in TDCJ and entry in the TC was drawn for better comparison with non-participants, and additional analyses were conducted. Multiple regression, binomial logistic regression, and survival analysis indicate that participation in the TC has a statistically significant negative effect on the frequency of infractions (i.e., participation is associated with fewer infractions) but does not have an effect on the severity of infractions or time-to-failure. Offender education level was statistically significant in every model, which indicates increased education is associated with fewer infractions, less severe infractions, and decreased hazard of infractions. Other control variables reaching statistical significance were age (i.e., fewer infractions and decreased hazard), property offense (i.e., decreased hazard), and gang affiliation (i.e., more severe infractions).

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Chapter 1. Introduction

1.1 Introduction

Faced with a growing youthful offender population in their prisons, in 1995 the Texas Department of Criminal Justice (TDCJ) established the Youthful Offender Program (YOP). Acknowledging the differences between youths and adults, its objective was to address the special needs of youth incarcerated in adult facilities by providing programmatic features, including a therapeutic community for minimum-security offenders. A unique element to prisons, the therapeutic community (TC) serves to protect and rehabilitate youth in a secure environment. It functions much like traditional TCs established for drug treatment – participants are separated from the general prison population, take an active role in their own treatment as well as that of the group (i.e., self-help and mutual self-help), and undergo various stages of treatment each with increasing roles and responsibility. Study on this population is limited and, to date, there have been no outcome evaluations of the TC. This research is the first systematic evaluation of the YOP-TC.

The influx of youthful offenders in the adult criminal justice system is largely a result of the Supreme Court's impact on juvenile court processes and legislative "get tough" policies aimed at violent, chronic offenders. While originally created on the foundation of rehabilitation for juveniles, the juvenile court gradually shifted its focus toward more punitive responses (Lederman 1999; Snyder and Sickmund 2006; Torbet et

al. 1996). Reforms of the 1980s and 1990s made it increasingly easy to prosecute juveniles in the adult system (Snyder and Sickmund 2006).

These "get tough" policies primarily occur in the form of the following: altering the age boundaries of juvenile court jurisdiction, lowering the age of adult certification, and increasing the types of offenses eligible for a determinate sentence (Snyder and Sickmund 1999). Texas is only one of 45 states that has enacted or modified existing state statutes to make it easier to transfer serious and chronic juvenile offenders into the adult system (Snyder and Sickmund 2006). Every state has established age boundaries for original juvenile court jurisdiction. Within Texas those boundaries are set at 10–16 years of age. In other words, the Texas juvenile court is not intended to serve youth under 10 years of age or over 16 years of age. The age of adult certification refers to the minimum age at which a juvenile can be transferred out of the juvenile court and into the adult criminal court for certain offenses. Reforms in 1995 and 1997 by the Texas Legislature lowered the age of adult certification from 15 to 14 for capital, aggravated controlled substance, and first-degree felonies (Texas Criminal Justice Policy Council 2001; see also Texas Family Code § 54.02). A determinate sentence, also known as a juvenile blended sentence, is a sanction imposed by the juvenile court that allows a youth to be sentenced for a period of time exceeding that court's jurisdiction. An offender may serve a portion of their sentence as a youth in the juvenile system and a portion as an adult in the adult system. In 1995, the Texas Legislature also increased the types of offenses eligible for a determinate sentence from 6 to 22 (Texas Criminal Justice Policy Council 2001; see also Texas Family Code, Title 3).

While reforms such as these aimed to increase the severity of punishment, they also increased the number of opportunities to reach the criminal justice system, thereby increasing the likelihood of juveniles entering the adult prison system. Between 1990 and 1997, the number of state inmates under 18 years of age rose dramatically from 3,400 to 7,400 (Strom 2000). This number decreased over the past few years, and at midyear 2006, there were 2,364 juveniles under 18 years of age in adult prisons nationwide; 162 in Texas prisons (Sabol, Minton, and Harrison 2007). According to TDCJ (2008), in 2008 there were 174 offenders under 18 years of age housed in their facilities.

Perhaps even more pressing is Strom's (2000) finding that more than 75% of juvenile inmates are expected to be released from prison before age 22. Not only are more youth entering the adult system, but most will be released into society shortly thereafter. Whether it is for the benefit of the youth or the benefit of the community, there is a vested interested in treatment and rehabilitation of youth. To provide the most effective and efficient services, thereby increasing the safety and security of the community, evaluations of treatment programs for youth are necessary.

This research enhances the current literature in many ways. First and foremost, the greater part of evaluation studies on therapeutic communities look at adults while data on juveniles are lacking (Pompi 1994). Data collected through a joint project with the Center for Criminology & Criminal Justice Research and Texas Department of Criminal Justice provide an ideal opportunity to examine one juvenile therapeutic community.

Prior research on juvenile justice has largely focused on descriptions of this population and methods of transfer or waiver into the adult system. Little empirical study

to determine the effects of this transfer has been completed. This research focuses on one possible outcome of transfer—incarceration—and the effects of the YOP-TC on institutional behavior.

An additional contribution of an evaluation of the YOP-TC is the benefit for policy development. The program has generated interest from corrections communities around the country, but, other than anecdotally, we do not yet know if participation in the therapeutic community promotes positive behavior or pro-social adjustment within prison or if it positively affects behavior after release into the community. If the program is to continue or be duplicated in other states, the legislative and corrections communities should be aware of its progress and prognosis. Furthermore, there has been renewed focus on the juvenile justice system in Texas. Following allegations of sexual abuse and cover-up at the Texas Youth Commission, changes were made in the Juvenile Justice Code and more reforms may be forthcoming, which may directly and indirectly impact the admission of youth in TDCJ.

1.2 Research Objectives

Building on the discussion above and motivated by the lack of empirical research on the youthful offender rehabilitative arm of TDCJ, this study conducts an evaluation of the YOP-TC. The overriding question posed by this study is, *to what extent does the YOP-TC affect subsequent behavior within prison?* To answer that, the following research questions will be addressed:

1. What are the characteristics of the youthful offender population housed in Texas prisons (i.e., risk and need factors, criminal history, disciplinary history, gang affiliation, and educational issues, etc.)? How do therapeutic community participants differ from non-participants?
2. Does the therapeutic community reduce the hazard of committing an infraction?
3. Do therapeutic community participants commit fewer infractions over the course of their prison stay compared to non-participants?
4. Are infractions committed by therapeutic community participants less severe than those committed by non-participants?

1.3 Limitations

There are certain limitations to this research due to the nature of the quantitative data available. The data provide information on youthful offenders who entered TDCJ from 1996 through 2000. They include detail from their individual date of entry to either their date of departure or the date the data were collected (mid-2002), whichever came first. The structure permits for as much as 5½ years of information for some youth and as little as 1½ years of information for others.

In comparing therapeutic community participants with non-participants, the observation window starts at different points in time—entry to TDCJ for the control group and entry to the therapeutic community (TC) for the treatment group. While the

YOP was established in 1995, the TC did not begin until July 2000. As a result, some participants waited months or even years after entering TDCJ before being admitted in the TC. In many instances, the initial adjustment period had lapsed before they reached the TC.

To reduce the delay between arrival at TDCJ and entry in the TC, thereby reducing the disparity in initial adjustment period between participants and non-participants, a sample of TC participants with relatively short times-to-TC was drawn and compared with the non-participants.

Several relevant factors to prison adjustment and subsequent behavior could not be included in the analysis. Educational and rehabilitation programs, vocational training, and visitation with family and friends may contribute to positive outlook and behavior; however, the structure of the dataset did not permit their inclusion in the analysis. A detailed discussion of the problems associated with these factors is included in Chapter 7.

1.4 Outline of Dissertation

Chapter 1. Introduction and statement of research goals.

Chapter 2. Background. This chapter provides an overview of juvenile justice reform nationwide and, more importantly, within Texas. A discussion on how reforms led to an increase in youthful offenders incarcerated in adult facilities and TDCJ's response: the creation of the Youthful Offender Program is included. A brief discussion of prior evaluation research on therapeutic communities is also included.

Chapter 3. Data and Methods. This chapter identifies the data used in this study (e.g., 1996–2002 offender data from TDCJ, security and treatment staff interviews, and correctional officer surveys) and the process of data collection. Then, a brief description of the measures of interest and methods employed is included to better understand the effect of the therapeutic community. Treatment (i.e., TC participants) and control (i.e., non-participants) groups are constructed.

Chapter 4. Findings: Descriptive Statistics. This chapter addresses Question 1 using qualitative and quantitative analyses. The results from interviews with TDCJ security and treatment staff and surveys of correctional officers at five youth-oriented prison units are presented to address the similarities and differences between youth and adult offenders and between TC participants and non-participants. A profile of the demographics, risks and needs, education or vocational participation, criminal history, prison behavior, etc. of youthful offenders in Texas prisons is included. The characteristics of therapeutic community participants with non-participants are compared and contrasted. This comparison includes percentages, means, and tests of association and differences of means to determine if participants and non-participants are statistically different on key measures.

Chapter 5. Findings: Quantitative Analysis. Using individual-level data, Question 2 (i.e., the hazard of committing an infraction) is addressed in this section. Fundamentally, any differences or similarities in rule violations and infractions between therapeutic community participants and non-participants are addressed.

Chapter 6. Findings: Quantitative Analysis with Sample of Therapeutic Community Participants. Using non-participants and a sample of therapeutic community participants, Question 2 (i.e., the hazard of committing an infraction) is re-addressed and Questions 3 and 4 (i.e., the frequency and severity of infraction) are analyzed in this section. Fundamentally, any differences or similarities in rule violations and infractions between therapeutic community participants and non-participants are the central focus of this chapter.

Chapter 7. Conclusion. In the final chapter, the quantitative and qualitative findings are discussed along with policy considerations, research limitations, and suggestions for future research.

Chapter 2. Background

2.1 Juvenile Justice Reform

This year the juvenile court is celebrating its 110th birthday, and through the years it has endured many changes. From the beginning, its purpose was much different than that of the adult criminal justice system. Acting under the doctrine of *parens patriae* (the State as parent), it was believed that children lacked complete culpability and the State assumed the right to intervene in their lives (Lederman 1999; Office of Juvenile Justice & Delinquency Prevention 1999; Snyder and Sickmund 2006). This philosophy extended beyond delinquents to include neglected and dependent children (Shepherd 1999). The chief concern was rehabilitation of the offender, not the offense. Extralegal factors that might be disregarded in adult criminal proceedings, such as family, education, and prior abuse, might be considered along with legal factors in determining what was in the best interest of the child.

Amid criticism from those that believed the juvenile court was unable to satisfactorily contend with delinquent youth and those who feared *parens patriae* infringed upon the rights of the youth (Shepherd 1999), the emphasis on protection and rehabilitation of the child gradually shifted toward a "more punitive and less therapeutic institution" (Lederman 1999: 23; see also Snyder and Sickmund 2006). Beginning with the U.S. Supreme Court ruling in Kent v. United States, 1966, juveniles were provided the right to due process. A series of decisions followed, ensuring more rights for juveniles and more closely aligning the juvenile court with the criminal court. Juveniles

were afforded the rights to notice and counsel, question witnesses, protect against self-incrimination, a higher burden of proof (i.e., "reasonable doubt" rather than a "preponderance of evidence"), a jury trial, and protection against double jeopardy (i.e., jeopardy attaches with adjudication in juvenile court; therefore, youth cannot be prosecuted for the same offense in criminal court) (Shepherd 1999; Snyder and Sickmund 2006).

As the juvenile crime rate continued its seemingly endless rise over the last three decades, the juvenile court received much attention. Together with sensational media reports and high profile, yet rare, cases (i.e., Columbine school shooting and Chicago suburb hazing incident), juvenile offenders have been characterized as an uncaring, violent menace and Magill (1998) asserts that they are now viewed as "public enemy #1" (121). In response to this perceived threat, lawmakers around the country passed "tough on crime" measures making it easier to prosecute juveniles in the adult criminal justice system (National Criminal Justice Association 1997; Snyder and Sickmund 2006).

Boundaries for original juvenile court jurisdiction are primarily determined by state statute defining age limits. Every state has established an upper age limit on juvenile court jurisdiction: three states set the upper limit at 15; ten set the limit at 16; the remaining 37 states and the District of Columbia set the limit at 17 (DeFrances and Strom 1997; Snyder and Sickmund 2006). These age limits, however, are only initial boundaries. State statutes can be, and have been, modified to allow for the inclusion of juveniles that fall below the age limit in the adult system. In the last decade, nearly every state enacted or modified their juvenile court laws (Griffin 2008; National Criminal

Justice Association 1997; Snyder and Sickmund 1999). The most common changes involved lowering the age at which an offender can be transferred out of juvenile court jurisdiction and increasing the number (types) of offenses with mandatory waiver to adult court (Griffin 2008; Snyder and Sickmund 1999).

Juveniles can be transferred (sometimes referred to as waiver or certification) out of the juvenile court into the criminal justice system. As its name suggests, *transfer* implies that the juvenile court has relinquished authority over a juvenile and given it to the adult court. Research indicates that the most common factors in determining transfer or waiver are age, offense, and criminal history (Howell 1996; Poulos and Orchowsky 1994; Singer 1996); however, the exact determinants vary among states and depend upon existing transfer mechanisms (Singer 1996). A transfer can occur through judicial waiver (discretionary, mandatory, or presumptive), prosecutorial discretion (also known as concurrent jurisdiction or direct file), statutory exclusion, reverse waiver, "once an adult/always an adult," and blended sentencing provisions (Griffin 2008; Griffin, Torbet and Szymanski 1998; Snyder and Sickmund 2006). Texas currently has judicial discretionary waiver, "once an adult, always an adult," and juvenile blended sentencing provisions (see Table 1, below, for descriptions of each type of transfer; the Texas provisions will be discussed in greater detail in Section 2.2).

While these "tough on crime" reforms aimed to increase the severity of punishment, research has found that waiver does not always lead to more severe penalties (Bishop et al. 1989; Champion 1989; Howell 1996). Strom (2000) asserts that 75 percent of juveniles sentenced to prison before age 18 will be released before their 22nd birthday.

While researching waiver in Texas, Fritsch et al. (1996) reported initial findings that youth waived into criminal court and released from prison received a longer average sentence length (12.8 years) than could be received in juvenile court (approximately 5 years for a 16 year old at the time the study was conducted); however, they only served 3.5 years.

Table 1: Definitions of Transfer Mechanisms for Adult Criminal Prosecution

Discretionary waiver (45 states)	Decision to transfer lies with the discretion of the juvenile court judge. Criteria to consider may include age, offense type, and prior criminal history.
Mandatory waiver (15 states)	Decision to transfer is mandatory under specified circumstances.
Presumptive waiver (15 states)	Decision to transfer is rebuttable, with the burden of proof resting with the juvenile. Failure to make an adequate argument against transfer, the juvenile court must transfer the case to criminal court.
Prosecutorial Discretion (15 states)	Decision to transfer lies with the prosecution.
Statutory exclusion (29 states)	There is no decision to transfer. State statute may define certain circumstances (age, offense, prior record, etc.) for which a case would proceed directly to the criminal court.
Reverse waiver (25 states)	State statute may define circumstances for which a juvenile being prosecuted in criminal court may petition for transfer to the juvenile court.
Once an adult, always an adult (34 states)	Once prosecuted in criminal court, a juvenile would fall under the criminal court for all subsequent offenses.
Juvenile Blended (15 states)	Juvenile court may impose criminal and juvenile sanctions. After successful completion of juvenile sanctions, the criminal sanctions may be dropped.
Criminal Blended (17 states)	Criminal court may impose juvenile and criminal sanctions. After successful completion of juvenile sanctions, the criminal sanctions may be dropped.

Sources: Griffin 2008; Griffin, Torbet and Szymanski, 1998; Snyder and Sickmund 2006

2.2 Texas Juvenile Law

Texas has not been left out of the push for juvenile justice reform. As in most states, the Juvenile Justice Code (Texas Family Code, Title 3) has undergone numerous and extensive changes in an effort to "get tough" on crime. Today there are three roads by which a juvenile can reach the adult criminal justice system in Texas: judicial discretionary waiver, "once an adult, always an adult" provision, and juvenile blended sentence. Reforms by the Texas Legislature have expanded the methods of transfer into the adult criminal justice system by lowering the minimum age for discretionary waiver, increasing the number of offenses eligible for juvenile blended sentence, and lowering the maximum age for youth in the Texas Youth Commission (TYC).

Judicial discretionary waiver, referred to as certification or adult certification, is the process by which a juvenile court judge may use their discretion to transfer the case to the criminal court. Certain criteria must be met before waiver is an option. First and foremost, a youth must meet the age and offense criteria (i.e., 14 years of age or older and alleged to have committed a capital felony, aggravated controlled substance felony, or first degree felony or 15 years of age or older and alleged to have committed a second degree, third degree, or state jail felony). In 1995, the Texas Legislature lowered the minimum age for certification to 14 years for the most serious offenses (House Bill 327, Seventy-fourth Legislature, 1995; Texas Criminal Justice Policy Council 1999, 2001), thereby increasing the opportunity for the use of certification. There cannot have been an adjudication hearing on the offense in question. The juvenile court must determine, after

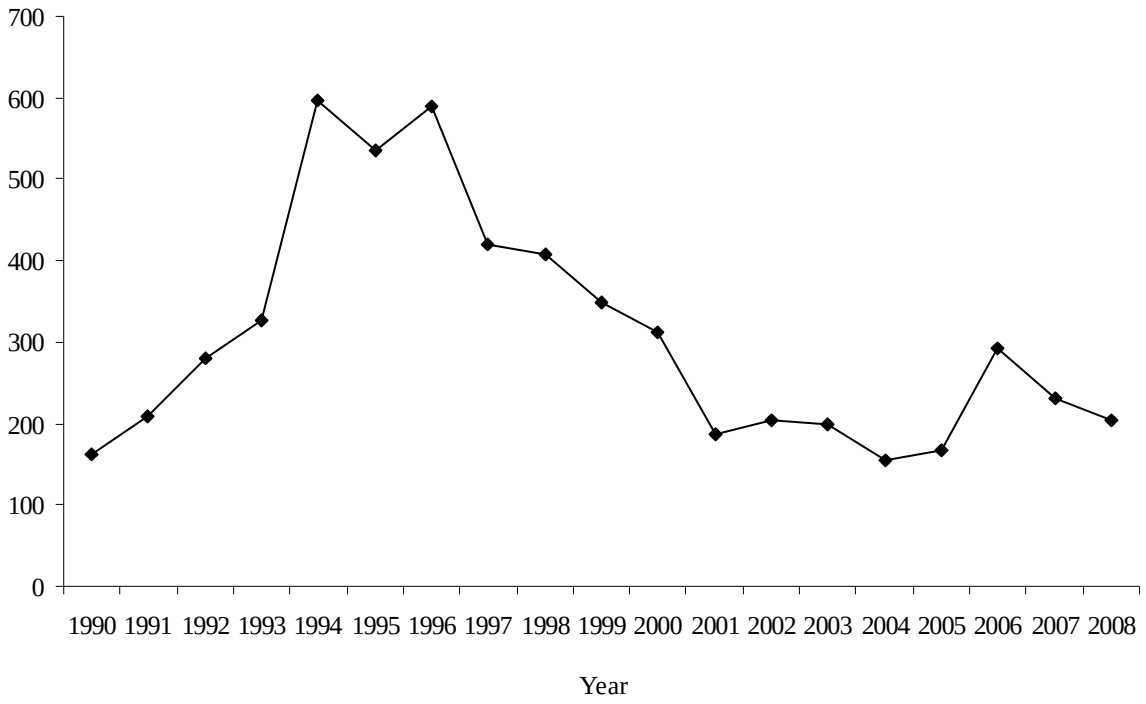
an investigation and hearing, probable cause exists and "the welfare of the community requires" transfer to the criminal court (Texas Family Code § 54.02(a)(3)).

In determining the adult certification of a youth, the court is required to consider if the offense was against a person or property, sophistication and maturity of the youth, prior criminal history, adequate protection of the public, and likelihood of rehabilitation in the juvenile justice system (see Texas Criminal Justice Policy Council 1999; Texas Family Code § 54.02). Once a juvenile has been certified as an adult, they fall under the "once an adult, always an adult" provision and will come under the criminal justice system for any subsequent offenses unless the juvenile was not indicted, the juvenile was acquitted, the transfer dismissed with prejudice, or the transfer was reversed on appeal.

Initially, these initiatives increased the number of certified youth. In a study of 12 Texas counties comprising 74 percent of all adult certifications, the Texas Criminal Justice Policy Council (CJPC) (1999) found that the number of certifications tripled between 1990 and 1996. This was followed, however, by a 29 percent decrease in 1997. In general, the decline has continued with occasional increases. The number of statewide certifications decreased over 50 percent, from 419 certifications in fiscal year 1997 to 203 in fiscal year 2008 (Office of Court Administration; see Figure 1).

While adult certification does not always result in prison incarceration, CJPC (1999) found over half of certified juveniles in Texas received a prison sentence. The remaining youth were placed on community supervision (27 percent), confined in state or county jails (4 percent), or had their cases dismissed or found not guilty (11 percent).

Figure 1: Adult Certifications in Texas, Calendar Years 1990-1996 and Fiscal Years 1997–2008



Sources: Calendar Year 1990-1996 data from the Texas Juvenile Probation Commission Statistical Reports (1990-1996) as reported by the Texas Criminal Justice Policy Council (1999). Fiscal Year 1997-2008 data from the Texas Office of Court Administration Annual Statistical Reports, Fiscal Years 1996-2008

Concerned over particularly violent juvenile offenses, the Texas Legislature passed the Determinate Sentence Act of 1987 creating a middle ground between juvenile and criminal court, or a third justice system (Dawson 1988). It provides an alternative sentence for juveniles that 1) are not eligible for waiver but committed a serious offense and 2) are eligible for but not necessarily appropriate for waiver (Dawson 1996). This is a version of juvenile blended sentence in which juvenile court judges can impose a juvenile correctional sentence for a period of time that would exceed the court's jurisdiction (Snyder and Sickmund 1999). Under such sanctions, current law dictates that a youth can be sentenced for no more than 40 years for a capital felony, aggravated

controlled substance felony, and felony of the first degree; no more than 20 years for a felony of the second degree; and no more than 10 years for a felony of the third degree (Texas Family Code § 54.04). Juveniles receiving a determinate sentence are monitored by TYC and can be transferred to the adult system (i.e., Texas Department of Criminal Justice (TDCJ)) any time after age 16 for the duration of their sentence (Texas Criminal Justice Policy Council 1999; see also Texas Human Resources Code § 61.079). In 1995 and 1997, the Texas Legislature increased the number of offenses[1] eligible for determinate sentence from 6 to 22 (Texas Criminal Justice Policy Council 1999, 2001; see Texas Family Code § 53.045 for current list of offenses eligible for determinate sentencing).

Recent laws enacted by the Texas Legislature aimed at overhauling TYC lowered the maximum age at which youth could remain in the TYC from 21 to 19 years of age and removed misdemeanors from commitment to TYC (Senate Bill 103, Eightieth

[1] The following felonies are eligible for determinate sentence: murder, capital murder, attempted capital murder, aggravated kidnapping, aggravated sexual assault, sexual assault, aggravated assault, aggravated robbery, injury to a child/elderly/disabled individual, arson with bodily injury or death, aggravated controlled substance offenses, criminal solicitation, indecency with a child, criminal solicitation of a minor, criminal attempt of any "3g offense" (murder, capital murder, indecency with a child, aggravated kidnapping, aggravated sexual assault, aggravated robbery, sexual assault, and drug free zone enhanced controlled substance abuse), and habitual felony conduct (Texas Criminal Justice Policy Council 1999).

Legislature, 2007). As an unintended consequence, it is possible youthful offenders who would have originally been sent to TYC will now be certified as adults or transferred out of TYC and into TDCJ earlier. In a recent evaluation of new funding for juvenile probation, the Legislative Budget Board (2009a) conducted focus groups with educators, law enforcement, prosecutors, defense attorneys, juvenile board members, and juvenile probation staff. While there was no evidence to indicate a marked increase in the use of certification, numerous practioners suggested certification may increase if "statutory adjustments are not made to the current determinate sentencing statutes" (41). While these reforms are important to note, they were not in place during the time period of this analysis and do not impact this study.

2.3 Youthful Offender Program

As a result of these reforms (i.e., lowering the age for certification and expanding the list of offenses eligible for determinate sentence) and practices, the number of youthful offenders housed in the Institutional Division of TDCJ (TDCJ-ID) initially increased. In recent years the population of offenders under 18 years of age has remained relatively stable. At the end of fiscal year 2008, there were 174 youth housed in TDCJ (Texas Department of Criminal Justice 2009). In an effort to manage this distinct population, TDCJ developed the Youthful Sheltered Housing Program in 1995. Its primary purpose was to separate youth from adult inmates. Youthful offenders from every facility were transferred to the Clemens unit (male-only) in Brazoria or the Hilltop unit (female-only) in Gatesville. For the majority of its first year, the Clemens unit

experienced rioting and was under constant lockdown. With the addition of programming in 1996, the housing program became the Youthful Offender Program (YOP). Recognizing that youthful offenders enter prison with special concerns and issues, the YOP was instructed to "provide a strong programmatic component designed to meet the unique needs of youthful offenders to promote successful and meaningful re-entry into the community through an integrated case management system; and to manage youthful offenders through appropriate institutional behavior" (Texas Department of Criminal Justice website). After the implementation of rehabilitative programming, rioting that had plagued the first year decreased.

Today, all incarcerated TDCJ offenders 14–17 years of age are automatically placed in the YOP. In addition, weaker young adults (i.e., those small in size and stature) and determinate sentenced youth – that are transferred to TDCJ at 16 or 17 years of age – may, in some circumstances, participate. While both Clemens and Hilltop facilities also house adult offenders, every effort is made to maintain separation between the two groups as part of their daily routine. For example, if a youth is to be transported from one location within the facility to another, the hallway must be cleared of all adult offenders for the youthful offender's protection. Once an offender turns 18 years old, they are transferred to the general population often in the same facility (i.e., Clemens or Hilltop).

Admittance into the YOP does not necessarily guarantee access to the full scope of treatment programs. Certainly, all youth without a high school diploma or GED are mandated by law to attend educational classes, provided by the Windham School District, until they receive their GED. Vocational programs and chaplaincy are available to all

inmates that meet necessary criteria. The most intensive treatment, however, occurs in the therapeutic community (TC). Established in 2000, youthful offenders meeting certain criteria ─ primarily a minimum custody level, also known as "G2" status ─ are admitted into the TC.

2.4 The Therapeutic Community

As a treatment modality, the therapeutic community (TC) views drug abuse as a disorder of the whole person, and addiction as a symptom of that disorder (DeLeon 1994; DeLeon 1991; Nielsen and Scarpitti 1997). Its origin can be traced back to Alcoholics Anonymous (AA) member Charles Dederich who grew frustrated over AA's emphasis on alcohol to the exclusion of other forms of substance abuse and founded Synanon – a self-help therapeutic community (Wexler 1995). The primary distinction of therapeutic communities from other forms of residential treatment is the "*purposive use of the community as the primary method for facilitating social and psychological change* in individuals" (DeLeon 1994: 22, emphasis in original). While the exact organization of TCs varies from one to the other, they all have similar features. Clients are isolated from the rest of the society and enter a safe environment with other clients and staff performing the role of the community. Ex-offenders and ex-addicts serve as role models – learning through the successes and failures of others. The premises of self-help and mutual self-help in which "individuals also assume partial responsibility for the recovery of their peers" (National Institute on Drug Abuse 2002: 2) are central to treatment. Negative behavior not only hurts the individual but also the group. TCs typically consist

of several stages or phases, each involving greater responsibility, that must be successfully completed before proceeding to the next stage (DeLeon 1994; Wexler 1995; Wexler and Love 1994). Table 2 lists the basic concepts of a TC as described by DeLeon (1994).

Table 2: Community-as-Method Model

Use of Participant Roles	Individuals contribute directly to all activities of daily life in the TC, which provides learning opportunities through engaging in a variety of social roles (e.g., peer, friend, coordinator, tutor). Thus, individuals are active participants in the process of changing themselves and others.
Use of Membership Feedback	The primary source of instruction and support for individual change is the TC membership. Providing observations and authentic reactions to the individual is the shared responsibility of all participants.
Use of the Membership as Role Models	Each participant strives to be a role model of the change process. Along with their responsibility to provide feedback to others regarding what they must change, members also must provide examples of how they can change.
Use of the Collective Formats for Guiding Individual Changes	The individual engages in the process of change primarily with his or her peers. Educational, training, and therapeutic activities occur in groups, meetings, seminars, job functions, and recreation. Thus, the learning and healing experiences that are essential to recovery and personal growth unfold in a social context and through social intercourse.
Use of Shared Norms and Values	Rules, regulations, and social norms protect both the physical and psychological safety of the community. However, there are beliefs and values that serve as explicit guidelines for self-help recovery and right living. These guidelines are expressed in the vernacular and the culture of each TC and are mutually reinforced by the membership.
Use of Structure and Systems	The organization of tasks (e.g., the varied job functions, chores, and management roles) needed to maintain the daily operations of the facility is the main vehicle for teaching self-development. Learning occurs not only through specific skills training but in adhering to the orderliness of procedures and systems, in accepting and respecting supervision, and in behaving as a responsible member of the community upon whom others are dependent.
Use of Open Communication	The public nature of shared experiences in the TC is used for therapeutic purposes. The private inner life, feelings, and thoughts of the individual are matters of importance to the recovery and change process, not only for the individual but for other members. Thus, all personal disclosure eventually is shared.
Use of Relationships	Friendships with particular individuals, peers, and staff are essential to encourage the individual to engage and remain in the change process. The relationships developed in treatment are the basis for the social network to sustain recovery beyond treatment.

Source: DeLeon 1994: 22-23

Prison-based therapeutic communities are broader in nature. While drug treatment remains a focal point, they also encompass a range of other behaviors, such as criminal activities, sexual abuse, and prison behavior (Wexler and Love 1994). Their unique environment creates obstacles not faced by community-based TCs. In prison, the concerns of security staff are vastly different than those of treatment staff. The same open environment that promotes mutual self-help among offenders may be seen as a safety and security threat to prison officials (Wexler and Love 1994), creating tension between the two groups. To help alleviate this frustration, Wexler (1995) states it is necessary for prison management to understand "that while treatment is highly important it is secondary to security" (62). Furthermore, he put forth ten principles that contribute to treatment success of prison TCs:

1. a treatment approach based on a clear and consistent treatment philosophy,
2. establishment of an atmosphere of empathy and physical safety,
3. recruitment and retention of qualified and committed treatment staff,
4. specification of clear and unambiguous rules of conduct,
5. employment of ex-offenders and ex-addicts as role models, staff, and volunteers,
6. use of peer role models and peer pressure,
7. inclusion of a relapse-prevention component,
8. establishment of continuity of care from treatment to aftercare,
9. integration of treatment evaluations into the design of the program,

10. maintenance of treatment program integrity, autonomy, flexibility, and openness (63).

Prior research on adult therapeutic communities indicates they are highly effectively in reducing drug use, criminal behavior, and unemployment (Condelli and Hubbard 1994; Hiller, Knight, and Simpson 1999; Inciardi, Martin, and Butzin 2004; Knight et al. 1997; Knight, Simpson, and Hiller 1999; National Institute of Drug Abuse 2002; Swartz, Lurigio, and Slomka 1996; Wexler 1995; Wexler et al. 1999a; Wexler, Falkin, and Lipton 1990; Wexler and Williams 1986), especially when they are coupled with aftercare (Inciardi et al. 2004; Knight et al. 1999; Texas Department Criminal Justice 2009; Wexler, Melnick, and Cao 2004).

Numerous studies show that aftercare is a key component in treatment success. Assessments of a multistage therapeutic community model instituted in the Delaware correctional system – KEY (prison-based), CREST (residential work-release), and Aftercare program – indicate participation in multiple stages is more effective than prison-only treatment. Clients participating in two stages (residential work-release and aftercare) and those in all three stages (prison, residential work-release, and aftercare) had significantly lower rates of drug use and rearrest than those in the prison-only TC. In fact, the prison-only TC had outcomes similar to the no-treatment control group (Inciardi and Martin 1997; Martin, Butzin, and Inciardi 1995). In a follow-up study, the benefits of aftercare persist and were found at 42 months and 60 months after release from prison (Inciardi, et al 2004). Offenders who completed work-release treatment were

significantly more likely to refrain from drugs and criminality than were offenders who did not receive treatment or dropped out of treatment.

Analyses of the Amity therapeutic community, a three-phase TC in the California Department of Corrections with the option of aftercare after release of prison, also demonstrate the importance of aftercare on post-treatment success (Wexler et al. 2004; Wexler et al. 1999a; Wexler et al. 1999b). Both high- and low-risk offenders who completed aftercare had significantly lower three-year reincarceration rates (36 percent and 30 percent, respectively) than offenders who did not complete the prison therapeutic community (86 percent and 80 percent), offenders who completed the prison therapeutic community only (81 percent and 78 percent), and offenders who initiated but did not complete aftercare (86 percent and 71 percent) (Wexler et al. 2004). In a five-year outcome study of the Amity TC, Prendergast et al. 2004 found significantly fewer aftercare completers were reincarcerated within five years and significantly more were employed in the previous year when compared to the other treatment groups.

Knight et al. (1999) found a similar impact of aftercare on participants in a Texas in-prison therapeutic community. The three-year reincarceration rate of TC participants (41 percent) was similar to that of offenders who did not receive treatment (42 percent). However, once completion of aftercare was considered the reincarceration rate decreased to 25 percent. Interestingly, offenders who participated in aftercare but did not complete it had a greater reincarceration rate than those who did not receive any treatment (64 percent).

TDCJ (2009) recently conducted an evaluation of the In-Prison Therapeutic Community (IPTC) and found a much lower three-year recidivism rate among program completers with at least three months of aftercare (13 percent) than the comparison group (22 percent) that did not receive treatment. Without aftercare, their recidivism rate (26 percent) was higher than the comparison group.

The significant beneficial effects of aftercare identified in the above studies were echoed by therapeutic community clients of the Sharon prison program in Israel (Gideon 2009). More than 60 percent of the clients interviewed stated supervision is "highly essential" (53) and "advocated for postrelease supervision" (52).

Studies on the amount of time-in-program (TIP) necessary to achieve effective results vary. Most find that as the length of stay increases so do the benefits (Condelli and Hubbard 1994; see also Inciardi et al. 2004), but some studies suggest there is a point at which any greater amount of time would not result in additional benefits. Wexler et al. (1990) found that the effect gradually diminished after 12 months of treatment, while Swartz et al. (1996) suggest that the beneficial effect continues for only up to 150 days of treatment.

There are considerably fewer evaluations of youth-oriented therapeutic communities although research suggests juveniles make up a sizeable portion of TC clients (Pompi 1994). Based on a 1988-1989 survey given to Therapeutic Communities of America, Pompi (1994) reports that 19 percent of TC participants were 20 years old or younger. He performed a meta-analysis of nine youth TC studies; four reported post-treatment outcomes. All four reported a decrease in subsequent criminal activity. Of the

three studies that reported outcomes of substance use, all three found an overall decrease in drug use with the exception of one study reporting a slight increase in marijuana use and little change in alcohol use. Of the two studies that reported employment outcomes, both indicated an increase in employment after treatment. Furthermore, he found a positive relationship between the time-in-program and post-treatment outcomes. While these results are promising, additional research is needed and data is "scarce" (129).

2.5 YOP-Therapeutic Community – Clemens Unit

The Clemens unit therapeutic community, like other prison TCs, is not restricted to drug abusers or addicts. Rather than focus on substance abuse a variety of needs are addressed, including parent or family issues, prior physical or sexual abuse, anger management, and educational needs. Participants, often referred to as clients, are isolated from the general prison population. Clients are housed in two dorm-like rooms at the furthest end of the facility, unlike adult and other youthful offenders who live in single- or double-occupancy cells, depending upon custody level. They eat, sleep, and recreate together all while being separated from other offenders. Mornings are reserved for educational programs while the traditional therapeutic community operations occur in the afternoon. The TC is organized into four stages: Orientation (8 weeks), Cognitive Intervention (10 weeks), Aggression Replacement Training (8 weeks), and Relapse Prevention (10 weeks). At the end of each stage, treatment staff evaluates the client's progress and determines if they are ready to begin the next stage. Clients must successfully complete each stage before proceeding to the next. Any infractions or

"tickets" – written accusations that can be given by treatment staff, security officers, or other clients to identify rule violations and intended to help the offender recognize his mistake – may result in the client being sent back to an earlier stage. Successful completion of the therapeutic community can take nine to 12 months.

As with most therapeutic communities, participants are expected to help themselves as well as helping other participants. As they move through the program, they serve as role models, especially to new arrivals. One participant's success is to be inspirational and motivational to the others in the program. They are selected to serve as officers, which gives them the opportunity to demonstrate responsibility. Daily encounter sessions, lead by the client officers, allow clients to openly approach each other in front of the group to encourage, praise positive behavior, and condemn negative behavior. The accused have the opportunity to defend their actions or apologize to the entire group and ask for forgiveness. After successfully completing each stage of the TC, graduates leave the therapeutic community program but remain in the YOP until they age out of the program. A select few graduates of the TC stay in the TC to serve as mentors to the next group of participants. All YOP youth remain incarcerated until discharged or released on parole, mandatory supervision, or discretionary mandatory supervision.

Since the data collection, the YOP was reorganized and renamed the COURAGE Program for Youthful Offenders. Like the program evaluated here, the COURAGE (Challenge, Opportunity, Understanding, Respect, Acceptance, Growth, and Education) program focuses on problem behavior while offering services regarding education, life skills, creative expression, and communication skills. Instead of the four-stage

therapeutic community, the program consists of three stages (e.g., Sparrow, Hawk, and Eagle) which must be successfully completed before proceeding to the next stage (Texas Department of Criminal Justice website).

Chapter 3. Data and Methods

3.1 Data

The evaluation research design employs mixed methods. Both quantitative and qualitative approaches are incorporated in an effort to provide a clear picture of the Texas criminal justice system and its inclusion of youthful offenders. To achieve this, data previously collected through a collaborative project with the Center for Criminology and Criminal Justice Research (CCCJR) and Texas Department of Criminal Justice (TDCJ) were obtained. The data include interviews with TDCJ staff, surveys of correctional officers, and individual-level data on youthful offenders in prison.

Individual-level data provided to CCCJR originated from the TDCJ mainframe. The mainframe is the department's computerized system containing substantial information on the history, characteristics, and location of each offender. Youthful offenders were identified using three criteria. The offender must: 1) have committed the current offense during fiscal years 1996–2000, 2) be 14–17 years of age at the time of the offense, and 3) be housed on either Rows B or C at the Clemens unit. At the Clemens unit, housing Rows B and C, located at the furthest end of the facility, are reserved for the Youthful Offender Program (YOP). Individuals meeting *all* the above conditions are included. In this sense, the pool of individuals included is not a sample but rather *all* YOP participants. There are 639 juveniles who meet these criteria.

From these youth, treatment and control groups were constructed. The treatment group was composed of youth who participated in the therapeutic community. The

control group was composed of youth that did not participate in the therapeutic community because they: 1) entered TDCJ prior to the establishment of the therapeutic community and 2) no longer met the age requirement to participate once the TC began operation, but 3) had a minimum custody level at some point during their incarceration—the primary requirement for participation in the therapeutic community. These criteria create a control group that consists of youthful offenders who would have qualified for the therapeutic community had it been in operation when they were young enough to participate. Treatment and control group construction is discussed in greater detail later in the chapter.

A variety of background and situational information were included, such as demographics (i.e., age and race), offender history (i.e., prior paroles, releases, and revocations), and other offender characteristics (i.e., offense, custody level, disciplinary offenses, gang affiliation, vocational training, educational programs, visitation, job history, or escape attempts). For each offender this information begins on their individual date of entry (between 1996–2000) to the date of their release or the date the sample was drawn (mid-2002), whichever comes first. This allows for a minimum of 1½ years of data after the last participant entered.

This information was provided in the Statistical Package for the Social Sciences (SPSS) format. All analyses were conducting using SPSS with Advanced Models, which includes survival analysis techniques.

Also provided was information from interviews with TDCJ treatment and security staff at five prison units: Clemens (Brazoria, TX), Ferguson (Midway, TX), Hilltop

(Gatesville, TX), Lewis (Woodville, TX), and Lychner State Jail (Humble, TX). The Clemens and Hilltop units were selected for their operation of the Youthful Offender Program. The remaining units were identified in consultation with TDCJ and selected based on the large number of young adults (aged 18-25) in the facilities compared to other facilities. Those interviewed were selected based on their positions within the institutions as well as their level of involvement with the youthful offenders. Treatment staff interviewed includes all YOP staff at the Clemens and Hilltop units, members of the Windham School District that teach at the facilities, and the unit chaplain. Security staff at each of the five prisons were interviewed. Those interviewed included all ranks: warden, assistant warden, major, captain, lieutenant, and correctional officers. All interviewees were assured their participation was voluntary and their responses would be confidential. A total of 51 security and treatment staff were interviewed at the prison unit that served as their place of employment. One person declined to participate.

These face-to-face interviews were conducted in private areas to facilitate honest discussion by the interviewees. Both one-on-one and small group settings were utilized. When the small group setting was utilized, every attempt was made to construct the group with similar rank or status officers or treatment staff and to exclude supervisors of other interviewees. The interviews followed a structured-conversation approach and covered an array of issues related to imprisonment (e.g., custodial, institutional adjustment, rehabilitation, release). Interviewees were asked for their opinions regarding youthful offenders, youthful offender needs, and how their needs may differ from those of adult offenders. They were asked for their opinion regarding the YOP, goals of the

program, and the nature of offenders in the program and their specific needs. They were asked to discuss special security or safety issues relating to youthful offenders, conflicts that arise among youth, gang-related conflicts among youth, management techniques used to control youthful offenders, how those techniques may differ from those used to control adult offenders, the use of lockdown or administrative segregation, and specialized training for staff who work with youthful offenders. Interviewees were asked about visitation and phone privileges and their effects on the youth. They were asked about treatment program availability, capacity, eligibility, and barriers and the impact of program participation on institutional adjustment and preparation for release to society. Interviewees were asked for their suggestions regarding program changes. Exact questions asked each interviewee varied depending on their roles and responsibilities at the unit. For example, treatment staff were asked more extensive questions about the YOP than were security staff. For the complete interview instrument, see Appendix B.

Finally, information from surveys given to correctional officers, also known as "line staff" or "line personnel," who have direct contact with offenders was provided. Approximately 15-20 correctional officers were surveyed at each prison unit where security and treatment staff had been interviewed (i.e., Clemens, Ferguson, Hilltop, Lewis, and Lychner). They were assured their participation was voluntary and their responses would be confidential. They were informed, however, that any reports of abuse would be reported to TDCJ. A total of 95 line staff were surveyed. Sixty-one completed and returned the survey, for a 64 percent response rate.

The survey addressed a variety of issues regarding institutional goals, management procedures, adjustment, offender problems and needs, rehabilitation, and the YOP (see Appendix C for the Line Personnel Survey). Correctional officers were asked for their opinions on the goals of the YOP (i.e, deterrence, incapacitation, punishment, or rehabilitation) and the perceived effect of the YOP on prison adjustment and preparation for release and reintegration into society. They were asked about the particular needs associated with youthful offenders, the occurrence of infractions, the threat of suicide, and the prevalence of gang activity. The survey also included questions regarding management techniques and specialized training for officers working with youthful offenders.

Interviews and surveys help to provide context and explanations as to why certain patterns and findings emerge in statistical analyses. In order to fully understand life inside prison, we must draw upon the experiences of staff that also spend much of their lives within those walls. Their experiences with the operations of the YOP and daily interactions with youthful offenders can only expand our understanding of youthful offenders, their situations, and the perceived effectiveness of the therapeutic community. With their insider's point of view it may be possible to capture rare and remarkable features otherwise unavailable.

3.2 Individual-level Measures

Dependent variable: The dependent variable for this research is infraction, or receipt of a disciplinary and other risk-taking/crisis behavior (e.g., suicide and escape

attempts). Disciplinaries are received from corrections staff for any rule violation. They can vary from minor (lying to a staff officer or out-of-place violations) to very serious (escape or staff assault with a weapon). Infractions serve as a proxy for positive or negative institutional adjustment. The commission of an infraction indicates negative adjustment while lack of an infraction indicates positive adjustment. Because disciplinaries are used to penalize a wide array of behavior, they include forms of behavior that are outwardly directed (e.g., staff assault) and inwardly directed (e.g., suicide attempt).

Several outcome measures are used to address all aspects of infractions (i.e., frequency, severity, and time-to-failure). Measure of infraction *frequency* is a simple count of the number of infractions committed during the follow-up period. Infraction *severity* is determined by the TDCJ Disciplinary Offense Code. All infractions are given an offense level ranging from level one (1) to level three (3), with level one consisting of the most serious offenses (e.g., escape or attempted escape, offender assault with or without weapon, staff assault with or without weapon, threatening to inflict harm, extortion, possession of a weapon, sexual abuse, and riot). For a complete listing of disciplinary offenses by level, see Appendix D. *Time-to-failure*, or time-to-infraction, is measured by the duration in a non-infraction state.

Covariates: The focal point of this research is the YOP therapeutic community (TC). Does participation in the TC affect institutional adjustment as measured by the frequency, severity, or time-to-failure of infractions? To better account for the TC's influence and eliminate or reduce the possibility that any effect on infractions is due to

factors other than TC involvement, several covariates are included in the analysis as control variables: demographics (age, race, education level, method of entry into TDCJ, offense type, number of offenses) and other prison influences (gang involvement). Other factors, such as educational or vocational program participation, visitation by family and friends, and criminal history may impact prison adjustment and infractions but were not included in the model due to limitations of the data.

Youthful Offender Program.

- Therapeutic Community. Participation in the TC is measured as a simple dichotomous variable (Y/N) and is used to establish treatment and control groups. While all youthful offenders aged 14-17 are placed in the YOP, only those with minimum security status are allowed into the therapeutic community.

Demographics.

- Age. Research suggests that age is one of the strongest predictors of crime. While many infractions would not be considered crimes outside the prison setting, they are violations of formal rules. According to both official arrest data and self-report studies, the age-crime curve peaks at or around 18 years or 20 years of age respectively and is followed by a steady decline suggesting that juvenile delinquents age out of offending (Empey et al.1999). That is, as an offender ages, he or she offends with less frequency. Moffitt (1993) contends that the majority of offenders are actually adolescent-limited offenders. They commit minor

offenses early in life and then cease offending. Few (approximately 10 percent) are life-course-persistent offenders. Even though the age range of offenders included in this analysis is narrow (14–17 years), there may be a difference between the reactions to institutionalization and the therapeutic community of the youngest youth and those of the oldest youth. Age at intake is included in the analysis as a continuous variable.

- Race. TDCJ recognizes the following race/ethnicity classifications: Asian, Black, Hispanic, Indian, White, and Unknown. Initially, due to the small number of Asian, Indian and Unknown offenders, they were collapsed into one Other category. However, the number of offenders in the Other category remained small, and analyses using this category identified large numbers of empty cells with results that could not be interpreted with any certainty. Two options were considered: 1) drop offenders in the Other category from the analysis or 2) collapse race/ethnicity into White or Non-white categories. After careful consideration, race/ethnicity was recoded into a dichotomous variable of White (1) or Non-white (0).
- Education Level. During intake and diagnostic processing, offenders are given an Educational Achievement Test. Test scores reflect grade level. The mean grade level for the youthful offenders is 7.3, or 7^{th} grade. Education level, as a continuous variable, is included to determine if more educated youth are more or less likely to commit infractions and if the effects of the therapeutic community remain after controlling for education.

- Certified or Transferred Youth. The manner in which an individual entered TDCJ (adult certification, determinately sentenced transfer from TYC, or other) is included in the analysis. The other category includes young adults deemed as weak or small in size or stature and potentially at risk of victimization. Due to their prior confinement at TYC, it is possible that determinately sentenced transfers have already adapted to institutional life and may have fewer adjustment problems. It is also possible, however, that they are a hardened population and have greater needs. Each is in included in the analyses as dichotomous variables. Offenders who entered as young adults (versus through adult certification or determinate sentence) serve as the comparison group.
- Offense of Record. The offense of record is the offense for which the individual has been incarcerated. They are reported as National Crime Information Center (NCIC) codes, which are collapsed into violent, property, drug, and other crimes (see Appendix E for a complete listing of offenses by type). Offenses are grouped in this manner to correspond with the manner in which TDCJ tracks and reports offenses. Violent offenses include homicide, sexual assault, robbery, assault or terroristic threat, and kidnapping. Property offenses include burglary, larceny, motor vehicle theft, forgery, fraud, stolen or damaged property, and arson. Drug offenses include possession, delivery, and other offenses, such as drug paraphernalia. Other offenses include driving while intoxicated (DWI), escape or evading arrest, family offenses, obstruction and public order, weapons, commercialized sex offenses, sex offenses against a child, failure to register as a

sex offender, and other offenses not previously listed. Of all offenses committed by the youth, their most severe offense type is included in the analysis. Violent is considered the most severe offense type, followed by property, drug, and other. Each is included in the analyses as dichotomous variables with violent offense the comparison variable.

- Number of Offenses. The number of offenses of record for which the individual has been incarcerated is included as a continuous variable. Individuals with multiple offenses may be more inclined to commit multiple infractions while incarcerated.

Other prison elements.

- Gang Involvement. Much of what identifies a gang member as a gang member is behavior, especially criminal behavior. TDCJ officially recognizes many of the larger state or national gangs (i.e., Aryan Nation, Blood, Crip, Mexican Mafia, Texas Syndicate, etc.). Smaller street or neighborhood gangs are not included. Gang involvement is included in the analyses to measure any impact it may have on infractions and to measure what impact the therapeutic community has on infractions while holding gang involvement constant. There is no reason to believe that differing gangs produce distinct behavior patterns or will be more or less likely to induce poor prison behavior. For this reason, gang involvement is categorized as a simple dichotomous variable indicating involvement (1) and no involvement (0).

3.3 Statistical Analyses

Treatment and Control Groups

To begin the statistical analysis, treatment and control groups were constructed. Between 1996 and 2000, 639 male offenders entered the YOP. Of those, approximately 16 percent (105 offenders) were admitted into the therapeutic community. Admission into the TC is not random and is based primarily on age and a minimum custody level. After the TC was established, the majority of youthful offenders were admitted. The treatment group (i.e., therapeutic community participants) was identified based on date of admission into the TC. The TC began accepting clients in July 2000, and the data provide for follow-up through mid-2002. Given these time constraints, July 1, 2001 was selected as the last date to enter the TC and have a full one-year observation period. Three clients were admitted on or after July 1, 2001; therefore, they were excluded from the analysis and were not included in either the treatment or control groups. Five clients were admitted into the TC twice. In those instances, the first admission was selected. A second admission indicates the client had been unsuccessful and, most likely, removed from the TC for disciplinary infractions – the unit of analysis.

The control group is composed of youthful offenders who may have participated in the therapeutic community if it had operated when they were young enough to participate. Selection criteria were non-TC participants who: 1) entered TDCJ prior to the establishment of the therapeutic community, 2) no longer met the age requirement to participate once the TC began operation, and 3) had a minimum custody level at some point during their incarceration—the primary requirement for participation in the

therapeutic community and used for comparison with TC participants. For this analysis, non-participants who were 19 years of age or older when the TC began operation were considered over the age limit to participate. Only one non-participant was excluded from the control group because they entered TDCJ after the TC opening, 230 were excluded because of the age requirement, and 8 were excluded because of the lack of a minimum custody level. An additional four non-TC participants were excluded due to probable data entry error; their first disciplinary infraction occurred prior to their TDCJ admission date, which is impossible. Therefore, the total number of offenders included in the analysis is 393 (i.e., 102 TC participants and 291 non-TC participants) (see Table 3 below).

Table 3: Number of Youth Included in Study

Youthful Offender Program Participants (1996–2000)	639
TC participant excluded because Admitted into Therapeutic Community on or after July 1, 2001	3
Non-participant excluded because Entered TDCJ after TC began	1
Non-participant excluded because of Age Requirement	230
Non-participant excluded because Non-minimum Custody Level	8
Non-participant excluded because Data Entry Error (First infraction occurs prior to admission to TDCJ)	4
Youthful Offenders Included in Study	393

There may be a time effect associated with the treatment and control groups. The control group entered TDCJ prior to 2000 while the majority of the treatment group entered TDCJ in 2000. It is possible the prison and YOP experienced changes from the

YOP's creation in 1995 to 2000 when the TC was established and most of the treatment group entered. Correctional officers and treatment staff may have developed better management and treatment techniques over time from which the treatment group, with its later admission date, benefitted.

Research Question 1. What are the characteristics of the youthful offender population housed in Texas prisons? How do therapeutic community participants differ from non-participants?

To explore the characteristics of the youthful offender population and any special considerations or strategies utilized by staff, in-depth interviews were conducted with TDCJ treatment and security staff at five youth-oriented prison units in Texas. Fifty-one staff voluntarily participated. Responses were analyzed for recurring themes, such as the variety of youthful offenders' needs, mental and emotional status of youth compared to adult offenders, benefits of the YOP program, importance of visitation as a management tool, need for qualified, specially trained staff, and unique strategies for managing and controlling youthful offenders.

The surveys of correctional officers also provided insight into the lives of youthful offenders housed in TDCJ and how the officers act and react toward them. The survey was organized into three sections: officer background working with youth, youthful offenders, and respondent demographics. Background questions were used to gauge prior experience working with youthful offenders. Twenty close-ended questions (e.g., one rank-order, five yes/no, twelve Likert scale rating, and two selection questions)

and seven open-ended questions were constructed to address attitudes and beliefs toward incarceration, youthful offenders, security and management of offenders, and the YOP. Frequency analysis was conducted on these items. Open-ended questions were examined for recurring themes. To remove or reduce confusion, a standard definition of youthful offender was included in the survey instructions. Youthful Offender was defined as "a person aged 14-17 incarcerated in an adult prison facility". Of the 95 correctional officers surveyed, 61 (i.e., 64 percent) responded.

Individual-level data were used to quantitatively analyze youthful offenders in general as well as compare the characteristics of TC participants (i.e., treatment group) with those of non-participants (i.e., control group). Numerous analytical techniques were utilized to describe the treatment and control groups. Frequencies, percentages, means, and standard deviations were used to construct profiles of youthful offenders, youthful offenders within the therapeutic community, and youthful offenders not in the therapeutic community. Items for comparison and contrast include age, race/ethnicity, education level, method of entry into TDCJ, offense type, number of offenses, and gang affiliation.

Chi-square for percentages and independent samples t-tests for mean differences were conducted to identify differences between the treatment and control groups on the outcome measures as well as on other key variables. Statistically significant associations on variables other than the outcome measures would indicate possible selection bias; however, youthful offenders are not randomly selected to participate. Chi-square tests are also used to measure the association between treatment and infraction outcome.

Research Question 2. Does the therapeutic community reduce the hazard of committing an infraction?

Traditional statistical techniques, such as OLS and logistical regression, are ill equipped for analyzing differences in time to an event. A more appropriate form of study is survival analysis or event history analysis. Event history analysis is used to estimate the duration between presence in one state (i.e., non-infraction) and successful transition or lack of transition into another state (i.e., infraction), also known as time-to-failure. The method is also better equipped to handle censored data, or subjects that do not make the transition within the observed time frame.

At present, the manner in which the transition rate from non-infraction to infraction varies over time is uncertain. It may monotonically increase or decrease or non-monotonically vary (i.e., a bell curve) over time. Given this unknown, the Cox proportional hazard model is used to estimate the transition rate. The Cox model, specified as

$$r(t) = h(t) \exp(x\beta)$$

does not make any assumptions as to the shape of the transition rate. It does, however, specify the "functional form for the influence of covariates," making it a semi-parametric model (Blossfeld and Rohwer 2002, 228). It is also known as a proportional transition rate model, because covariates do not influence the shape of the transition rate - only bring about proportional shifts (Blossfeld and Rohwer 2002; Allison 1984). This model has been described as a most attractive choice when "the researcher (1) has no clear ideas about the shape of time-dependence, or (2) has only a weak theory supporting a specific

parametric model, or (3) knows the time path of the process, but is not adequately able to model its fluctuations with a tractable waiting time distribution, or (4) is only interested in the magnitude and direction of the effects of observed covariates, controlling for time-dependence" (229).

This model provides the best fit for many reasons: 1) it does not make assumptions about the shape of time-dependence, 2) it allows for time-varying covariates and 3) it can handle censored data, or subjects that do not make the transition within the observed time frame (Blossfeld and Rohwer 2002).

Cox proportional hazard models, as well as other event history analyses, examine the transition from one state to another and the duration an individual spends in one state before moving into the other state. Models can incorporate several states; however, this research focuses on the transition between the origin state (i.e., no disciplinary infraction) to the destination state (i.e., occurrence of a disciplinary infraction). The length of time a youth spends between these two states is important to understand. If results indicate participants in the TC have a decreased hazard of infraction compared to non-participants, that would suggest the TC, or exposure to the TC, can lessen the chance of committing an infraction (i.e., delay the time-to-failure). The program could be viewed as having a desired outcome.

Since the youth usually were not admitted into the TC at the time of entry into TDCJ, time (or the duration individuals spend in the non-infraction state) was calculated differently for TC participants and non-participants. For TC participants, the time variable (*time*) was constructed by: 1) identifying the date of admission into the

therapeutic community, 2) calculating the one-year time frame by adding 365 days to the date of admission into the TC, 3) identifying the first, if any, disciplinary infraction to occur within the one-year time frame, and 4) calculating the difference between the date of the infraction and date of admission into the TC in days. For non-participants, *time* was constructed by: 1) identifying the date of admission into TDCJ, 2) calculating the one-year time frame by adding 365 days to the date of TDCJ admission, 3) identifying the first, if any, disciplinary infraction to occur within the one-year time frame, and 4) calculating the difference between the date of the infraction and date of admission into TDCJ. There were 27 cases right-censored because the event, infraction, did not occur within the timeframe but may have occurred after the timeframe.

The status variable (*survival*, the dependent variable) is a dichotomous variable with 1 indicating failure or the occurrence of the event (i.e., the presence of a disciplinary infraction within the one-year time frame) and 0 indicating survival (i.e., no disciplinary infraction). For any offender with an infraction during the one-year timeframe, survival was coded 1.

Covariates were added to the model in four blocks: 1) therapeutic community participation, 2) age, race, and education level 3) method of entry into TDCJ, offense type, and number of offenses, and 4) gang involvement.

It could be argued that many TC participants were given an adjustment period since their admission into the TC occurred days, months, or even years after their entry into TDCJ. Any acting out, behavior problems, or infractions may have occurred prior to the TC and outside the observation window. Any positive effect of TC participation

could be a result of this adjustment period and not the TC itself. To address this issue, the analysis was replicated using a sample of TC participants who entered the TC soon after entering TDCJ.

To test the proportionality assumption on therapeutic community participation (i.e., confirm the effects of participation on infraction are the same at week 1 as at week 52), survival functions of participants and non-participants were graphed. The survival function lines crossed, indicating a violation of the proportionality assumption. The Cox model was analyzed twice: once with participation included as a time-constant covariate and once as a time-varying covariate. In the all-participant models, the effect of the time-varying covariate was statistically significant while the effect of the time-constant covariate was not. In the sample model (discussed further in chapter 6), the effects of both were not statistically significant. The significance of the time-varying covariate in the all-participant model should be viewed with caution. Given the many limitations of the model (i.e., longer adjustment periods for participants than non-participants), any effect could be inflated. The lack of significance in the sample model, with shortened delays between admission to TDCJ and entry into the therapeutic community (i.e., shortens the adjustment period), suggests participation could be entered using either method. For consistency between both models, participation was entered as a time-constant covariate.

Research Questions 3 and 4. Do therapeutic community participants commit fewer infractions over the course of their prison stay compared to non-participants? Are infractions committed by therapeutic community participants less severe than those committed by non-participants?

Some TC participants waited months, even years, after their admission to TDCJ until they entered the therapeutic community. Given this time delay, infractions that occurred during the initial adjustment period to the institutional setting would be included for the non-participants (control group), for whom the starting point begins immediately, but may be excluded for the TC participants (treatment group), for whom the starting point begins after they are admitted in the therapeutic community. Participants who entered the TC several months after entering prison had more time to adjust to their new environment prior to the observation period. Therefore, comparing these two groups' infractions and times-to-failure may be misleading.

A sample of participants with relatively short wait times to enter the TC allows for more meaningful comparison of participants and non-participants and permits additional analyses of the frequency and severity of infractions. A sample would help address possible adjustment period effects and data limitations that hampered analysis of the entire TC cohort. As stated previously, only the first 20 infractions are included in the data. Youth who wait long periods of time before entering the TC may have committed 20 infractions prior to participation, thus there would be little to no information about their behavior after the TC. Focusing on participants who entered the

TC soon after entering TDCJ decreases the likelihood they will have committed many, if any, infractions prior to participation, thus prior to the observation window.

3.4 Sample of Participants

Of the 102 TC participants, 49 percent (50 participants) entered the TC within two months or less after their arrival at TDCJ (see Table 4). Of them, only six had an infraction prior to TC participation, and in all cases they only had one infraction. Only three had 20 or more infractions (i.e., right-censored data). Since the data include date and type of infraction for the first 20 infractions, it is impossible to determine how many infractions these three committed—only that they committed at least 20. Of non-participants, 61 (12 percent) committed 20 or more infractions.

Table 4: Months Between TDCJ Admission and Entrance into Therapeutic Community

Months	Frequency	Percent	Months	Frequency	Percent
1	26	25.5	15	0	0.0
2	24	23.5	16	3	2.9
3	13	12.7	17	1	1.0
4	4	3.9	18	0	0.0
5	4	3.9	19	1	1.0
6	3	2.9	20	1	1.0
7	4	3.9	21	0	0.0
8	0	0.0	22	0	0.0
9	2	2.0	23	1	1.0
10	2	2.0	24	3	2.9
11	2	2.0	25	1	1.0
12	3	2.9	26	0	0.0
13	0	0.0	27	2	2.0
14	2	2.0	Total	102	100.0

Multiple regression is utilized to address Question 3. With a continuous dependent variable (frequency of infractions) and continuous or dichotomous independent variables, it provides the best fit. The date of entrance into the TC or the date of admission into TDCJ, as appropriate, and one-year time frame calculated in the previous analysis were utilized. All infractions occurring within the observation window were counted toward the total number of infractions. The table below illustrates number of infractions committed by the treatment and control group members during the one-year observation period. Multiple regression coefficients are interpreted in terms of the unit change in an independent variable causing a change in the dependent variable.

Table 5: Percentage Distribution of Infractions Committed During Follow-up Period

Number of Infractions	Percent (n=341)	Number of Infractions	Percent (n=341)
0	4.4	11	1.2
1	5.6	12	4.7
2	4.7	13	4.4
3	6.5	14	2.6
4	8.2	15	1.8
5	3.8	16	2.9
6	6.5	17	1.2
7	5.3	18	1.8
8	8.8	19	1.5
9	6.7	20+	10.9
10	6.7		

Binomial logit regression, which allows for two possible outcomes, is utilized to address Question 4. All infractions committed during the one-year time frame were included in the analysis of infraction severity. The most severe level infraction formed

the dependent variable. Analysis of infraction severity indicates that very few youthful offenders do not commit an infraction within the one-year observation window, and most commit an infraction that is of moderate or maximum severity (see the Table 6 for the distribution of severity level). Given this distribution, infraction severity is recoded from its polytomous state with four possible outcomes (Level 1, high severity; Level 2, moderate severity; Level 3, low severity; or none, 0) to a two-state outcome (i.e., maximum severity versus other or none). Results are interpreted in the form of odds or odds-ratios (Agresti 1996) of belonging to one group or another.

Table 6: Most Severe Infraction Level

Most Severe Infraction Level	Frequency	Percent
None	15	4.4%
Minimum Severity	3	0.9%
Moderate Severity	177	51.9%
Maximum Severity	146	42.8%

Chapter 4. Findings: Qualitative Findings and Descriptive Statistics

Research Question 1: What are the characteristics of the youthful offender population housed in Texas prisons? How do therapeutic community participants differ from non-participants?

4.1 Interview Responses

Several recurring themes emerged during interviews with treatment and security staff at the five prison units. Youthful offenders are a distinct population requiring distinct management styles. Interview participants discussed the variety of needs of the youth, the mental or emotional issues of youth, Youthful Offender Program (YOP) program benefits, the role of visitation, staff training, and other management issues. Interview responses were discussed previously in an unpublished work by Kelly and Macy (n.d.).

Needs of Youthful Offenders

Youthful offenders enter the institution with a variety of needs. These needs may not differ from those of adults in prison, but youth appear to have more of them. An issue raised multiple times was a poor family life. Many youth in prison grew up in households with a lack of discipline or structure. Some experienced abuse or neglect. They may have been raised by grandparents or raised themselves. It is not uncommon for youth to have parents who are or have been incarcerated.

Like their adult counterparts, many youthful offenders come to prison with substance abuse and mental health issues. Interviewees indicated that some youth self-medicate. It was believed that, had their mental health problems been addressed earlier, many youth might not have ended up in prison.

Youthful offenders were also characterized by their association with negative peers, lack of social skills, and lack of education. Given their young age, most have not completed school.

Mental and Emotional Status of Youthful Offenders

Treatment and security staff repeatedly compared youthful offenders to adult offenders in terms of attitudes and behavior. In many ways, youth inside prison behave in ways similar to youth outside prison. Perhaps a reflection of their age, they were characterized as more immature, irresponsible, verbal, needy, and emotional than older offenders. They live in the present and are more impulsive than their older counterparts. Their actions demonstrate desires toward immediate gratification and a lack of forward-thinking or of potential consequences. Youth also were described as aggressive and argumentative. They test rules and boundaries, whereas older offenders learn the rules and know how to use them to their advantage. Interviewees also believed youth to be more stubborn, disrespectful, and resentful of authority than older offenders.

YOP Program Benefits

While success varies by individual, YOP participation provides youthful offenders with structure they were lacking in the outside world. It gives them useful tools to take into society thereby providing an option to crime. The YOP helps build self-esteem and aids institutional adjustment by giving them something to look forward to each day. For security and treatment staff, programs can be a useful management strategy by keeping the offenders occupied in something constructive rather than being idle in the dayroom or cell. The threat of removal from the program was seen as an effective deterrent.

Role of Visitation

Overall, interviewees expressed their belief that visitation has a positive effect on prison behavior. It provides contact with the outside world and an opportunity to mend with those they have wronged or hurt. It also can provide hope. Offenders that do not receive visitation – either due to disciplinary action or lack of visitors – or receive bad news at visitation tend to act out in negative ways more. Staff expressed their desire to have more families visit. As with YOP program participation, the threat of denying visitation is an effective deterrent to misbehavior.

Qualified staff

According to interviewees, staff who work with the YOP are handpicked based on certain characteristics. The Texas Department of Criminal Justice (TDCJ) looks for

officers and treatment staff who are mature, fair-minded, firm and consistent with discipline, and possess leadership skills. They also need to be able to serve as a parent-figure to the youth.

Even though the above traits are concerned when hiring or assigning staff to the YOP, there was a concern that many staff and officers do not know how to interact with youthful offenders. This is especially true for staff who do not work with at the YOP but do work at the units serving youthful offender populations. The verbal, needy, and emotional nature of youth appeal for staff and officers to be patient, tolerant, and, at times, a parent-figure; yet, these qualities are often seen to be at odds with the responsibilities of security and safety. Very few receive training or instruction on how to understand and manage youthful offenders. For most, the only training they receive is on-the-job training. Specialized training relating to the therapeutic community and youthful offender population was highly recommended for staff members who work with such populations.

Special management and control problems and strategies

The age, maturity level, and physical stature of youthful offenders suggest they should be managed and controlled differently. Their presence in the same facilities as older offenders can create discordance among and between offenders and staff. There is the possibility of conflict between youth and older offenders as well as coercion of impressionable youth by older offenders. Interview participants suggested that conflict is less about the difference in age and more about physical size. It is “survival of the

fittest." It was also suggested that, while interracial conflict is present, the conflict seems to stem from where any offender is from.

Interview participants indicated that every effort is made to maintain separation between the two groups; however, this separation, and different schedule for the youth, slows down the day-to-day functioning of the unit. Officers transport youth en masse, and when youth are transported from one area of the unit to another, all adult offenders must be cleared from the hallways.

The nature of youthful offenders (i.e., impulsive, immature, needy, etc.) compels staff and officers to act and react in distinctive ways. Staff must spend a greater amount of time listening and talking to the youth. What an adult offender is told once may need to be repeated several times to a youthful offender; therefore, patience and tolerance is crucial. Staff also must spend a greater amount of time supervising the youth. Their impulsive behavior and lack of self-control make them unpredictable.

Some interview participants believed that young officers, being close in age with youthful offenders, should not work with them. Instead, older officers are better able to manage and control the youth.

4.2 Survey Responses

Results from the line staff surveys are detailed in Table 7 and Table 8. Responses are reported separately for those who have worked with youthful offenders and those who have never worked with youthful offenders. A small majority of survey respondents (52 percent) worked with youthful offenders at some point during their career at TDCJ. Of

correctional officers with no experience working with youthful offenders, 18 percent were familiar with the YOP. Unless otherwise noted, all percentages and means described here are of line staff who have experience working with youthful offenders. A series of questions based on a seven-point Likert scale were included in the survey. For all questions, a score of "1" represents the lowest value or absence of something (e.g., "much less" or "not at all") and a score of "7" indicates the highest value or complete presence of something (e.g., "much more" or "extremely"). Means are reported in Table 8. Survey responses were discussed in a previous unpublished work by Kelly and Macy (n.d.).

Similar concerns emerged from the surveys as had emerged from the interviews: multitude of needs, distinctive mental/emotion status compared to adult offenders, effect of the YOP, need for specialized training, and use of alternative management techniques. The majority of correctional officers (75 percent) reported that youth enter TDCJ with more needs than adult offenders. However, only a little more than half (56 percent) believe those needs to be more severe than adults' needs. The most prevalent needs youth were believed to have are: drug or alcohol abuse (88 percent), educational difficulties (81 percent), health concerns (78 percent), mental health or emotional concerns (78 percent), physical or sexual abuse (75 percent), and violent behavior (72 percent). Exactly half of the correctional officers ranked rehabilitation as the most important goal of the YOP.

As with treatment and security staff interviews, correctional officers see differences in the attitudes and behavior of youthful offenders compared to adult

offenders. They are considered immature, and tend to have more anger than adults but have not learned how to appropriately express their feelings. Instead, they act out impulsively without regard to the consequences of their actions. Many youth think the rules do not apply to them. They tend to be very disrespectful and blame others for their problems including their criminal behavior. In order to fit in and "prove themselves", youthful offenders can become involved with gangs. On a 1-7 Likert scale, the average score on the seriousness of youthful offender participation in in-prison gang activity was 5.88.

Personal responsibility on the part of the youthful offender and their parents was a common theme. Correctional officers suggested success and change is a choice. Youthful offenders must choose to change their behavior if they want to succeed in prison and in life. Treatment and programs alone will not guarantee success; youth must want to change their lives. Furthermore, parental responsibility for youth behavior is important. Parents should be central figures in their children's lives.

Three questions pertaining to the YOP helpfulness were asked – How helpful is the YOP in 1) aiding institutional adjustment, 2) aiding the transition into the general population, and 3) preparing for release and reintegration into society? On a 1-7 Likert scale with "1" indicating "not at all helpful" and 7 indicating "extremely helpful", correctional officers that have worked with youth responded with the following mean scores: 4.52, 4.63, and 4.66 respectively. It appears staff whom have worked with youthful offenders believe the YOP to be only moderately helpful in the above situations.

The concerns regarding special training and management techniques expressed by interview participants were echoed by survey respondents. In response to the question, "How important is specialized officer training to being able to manage and control youthful offenders?" correctional officers gave an average rating of 6.44 on a 1-7 Likert scale with "1" indicating "not important" and "7" indicating "extremely important". An overwhelming majority (91 percent) believed staff who worked with youthful offenders should attend specialized training. Respondents largely believed youthful offenders require more supervision than adult offenders. On a 1-7 Likert scale with "1" indicating "much less supervision" and "7" indicating "much more supervision", the mean is 6.34. They also felt the need to explain rules and consequences in greater detail to youthful offenders than to adult offenders (84 percent).

There were differing opinions on the policy of housing youthful offenders and adult offenders separately. In general, most correctional officers believed youth should be separated from the adults for the youths' safety. Adult offenders can physically or sexually abuse, take advantage of, extort, and corrupt youthful offenders. Older offenders can also act as role models and negatively influence the attitudes and behaviors of the youth. Some respondents, however, questioned treating youth differently, "Why do we certify them as adults, commit them as adults and then realize they are not adults?" Some believe older offenders could help youth by telling them about life in the general prison population and in society. It could aid their transition from the YOP into the general population. The average ranking of the importance of separation as a

management tool was 5.38 (on a 1-7 Likert scale with "1" indicating "not important" and 7 indicating "extremely important") for staff who have worked with youth.

Active, structured days are seen as effective management tools. Youthful offenders should be kept busy with work, programs, exercise, etc. to reduce idle time (i.e., time when they can cause trouble). Survey respondents recommended TDCJ keep and expand ways for youth to spend their time, such as vocational classes, educational programs, boot camp, mentor program, physical labor, parenting classes, people skills, counseling and anger management, and programs that teach youth not to repeat the same mistakes. They should be taught incentives for good behavior and consequences for poor behavior. The importance of instilling a work ethic also was promoted. Aftercare, in the form of weekly programs and a caseworker following release from prison would help achieve a successful transition to society.

Table 7: Percentage of Responses from Survey of Correctional Officers

	Have Worked with Youth (n=32)	Have Never Worked with Youth (n=29)
Most Important Goal of Youthful Offender Program[1]		
Deterrence	31.3	35.7
Incapacitation	12.5	10.7
Punishment	18.8	25.0
Rehabilitation	50.0	39.3
Should staff working with youthful offenders participate in specialized training designed for those working with youthful offenders?		
Yes	90.6	86.2
Do you feel the need to explain the rules and consequences in greater detail to youthful offenders than to adult offenders?		
Yes	84.4	72.4
Do youthful offenders typically receive more disciplinary actions than adult offenders?		
Yes	43.8	62.1
Do you believe in general that youthful offenders have more needs?		
Yes	75.0	75.9
Do you believe in general that the needs that youthful offenders have are more severe than those of adult offenders?		
Yes	56.3	67.9
Which, if any, do you believe are typical problems of youthful offenders?		
drug and/or alcohol abuse	87.5	96.4
educational difficulties	81.3	92.9
family issues	78.1	92.9
health concerns	12.5	21.4
mental health/emotional	78.1	75.0
physical/sexual abuse	75.0	57.1
violent behavior	71.9	85.7
other	21.9	10.7
other 2	6.3	0.0
Prefer working with:		
Youthful Offenders	0.0	3.4
Adults	50.0	65.5
Youthful Offenders and Adults	50.0	31.0

Note: For the complete survey, see Appendix C.

[1]Percentages for Most Important Goal of YOP will not add to 100 due to tie rankings.

Table 8: Mean Likert Scale Responses from Survey of Correctional Officers

	Have Worked with Youth (n=32)	Have Never Worked with Youth (n=29)
How important is specialized officer training to being able to manage and control youthful offenders?	6.44	6.07
How important is the separation of youthful offenders from adult offenders as a management tool?	5.38	5.14
To what extent do you treat youthful offenders differently than adult offenders?	4.47	4.31
Compared to adult offenders, how much supervision do youthful offenders need?	6.34	5.27
In general, how serious are the typical infractions committed by youthful offenders?	4.91	4.76
Compared to adult offenders, how serious are typical infractions committed by youthful offenders?	4.81	4.48
How common is in-prison gang activity among youthful offenders?	5.88	5.93
How serious a concern is youthful offender participation in in-prion gang activity?	6.22	6.03
How serious of a concern is suicide and suicide attempts by youthful offenders?	4.88	5.45
How helpful is the YOP in aiding institutional adjustment?	4.52	4.55
How helpful is the YOP in aiding the transition from youth-only YOP into the general prison population?	4.63	4.62
To what extent does the YOP help prepare youthful offenders for release and reintegration into society?	4.66	4.78

Note: Means are based on a 1-7 Likert Scale.
For the complete survey, see Appendix C.

4.3 Youthful Offender Program Participants

Percentages, means, and standard deviations were conducted to assess the characteristics of youth in the YOP, as well as to compare youth who participated in the

therapeutic community (i.e., treatment group) with those who did not participate (i.e., control group). Chi-square statistics and independent samples t-tests were conducted to compare differences between the groups. Chi-square statistics also were analyzed to measure the association between participation and infraction outcome.

Among the YOP, the average age at the time of entry in TDCJ was 16.9 years. While this age is typical of youth in their junior year of high school, the average education level of these offenders is much lower (7.5, considered seventh grade). Approximately 19 percent were classified as White, and the remaining 81 percent were classified as Non-White (i.e., Asian, Black, Hispanic, Indian, or Unknown).

Slight more than half (54 percent) were certified as an adult in court. Only 6 percent entered through determinate sentence from the Texas Youth Commission (TYC). The remaining youth (41 percent) entered TDCJ as a young adult and were placed in the YOP due to their small size and stature and risk of victimization if placed in the general population with older offenders.

Three-fourths of the youth had committed a violent offense, which resulted in their incarceration. Approximately 14 percent committed a property offense, 7 percent committed a drug offense, and 4 percent committed an offense other than violent, property, or drug. The youth committed an average of 1.6 offenses.

Approximately 11 percent of the youthful offenders were identified as affiliated with a TDCJ-recognized gang. According to interviews with correctional officers, gangs recognized by TDCJ, in general, do not want youthful offenders as members because of their impulsive nature. The youth may, however, belong to smaller street gangs typically

associated with a city or neighborhood. Information on street gang membership is not included in the data from TDCJ.

An overwhelming majority of the offenders committed a disciplinary infraction within the one-year observation period.

Two variables originally intended to be included in the analysis, the number of regular and contact visits and participation in educational and vocational programming, could not be addressed due to the nature of the data. The data received from TDCJ included, if applicable, the first 20 regular visit dates, 20 contact visits dates, 20 educational programs, and 20 vocational programs pertaining to each youthful offender. It is possible to have more than 20 visits or programs; however, only information on the first 20 of each was included. A variable indicating the total number of visits and program participation was also included, but the dates of those events are not included. Therefore, it is impossible to calculate the number of visits or programs occurring during the study time frame.

Table 9: Percentages and Means for Select Characteristics by Group

Variables	YOP *(n=393)*	Treatment Group *(n=102)*	Control Group *(n=291)*
Age at entry (14-17)	16.9	16.7	16.9
(SD)	*(0.4)*	*(0.6)*	*(0.3)*
White	19.3%	23.5%	17.9%
Education Level (0-12)	7.5	8.1	7.3
(SD)	*(3.2)*	*(2.9)*	*(3.3)*
Method of Entry			
Adult Certification	53.7%	57.8%	52.2%
Determinately Sentenced - TYC	5.6%	4.9%	5.8%
Young Adult	40.7%	37.3%	41.9%
Offense Type (most severe)			
Violent	75.6%	77.5%	74.9%
Property	13.5%	14.7%	13.1%
Drug	6.6%	2.9%	7.9%
Other	4.3%	4.9%	4.1%
Number of Offenses (1-11)	1.6	1.4	1.6
(SD)	*(1.0)*	*(0.8)*	*(1.1)*
Gang Affiliation	11.2%	3.9%	13.7%
Disciplinary Infraction	94.4%	89.2%	96.2%
Year entered prison			
1996	5.9%	0.0%	7.9%
1997	29.0%	0.0%	39.2%
1998	35.4%	7.8%	45.0%
1999	9.7%	14.7%	7.9%
2000	20.1%	77.5%	0.0%

4.4 Treatment Group versus Control Group

The treatment and control groups are similar in terms of age at the time of entry in TDCJ, with an average age of 16.7 years for the treatment group and 16.9 years for the control group. There is a greater representation of White in the treatment group. Approximately 24 percent of the treatment group is classified as white, while the remaining 76 percent is classified as Asian, Black, Hispanic, Indian, or Unknown. Since placement in the treatment group is not random (i.e., most youth meeting the age and custody level requirement are admitted), the greater percentage of White in the treatment group may be a function of the racial/ethnic composition of the youth entering TDCJ and the year in which they entered. The average education level for both groups is considered middle school, with the treatment group slightly more educated than the control group (8.1 grade level compared to 7.3 grade level).

The most prevalent method of entry into TDCJ was through adult certification by the court, followed by young adult and determinate sentence. Approximately 58 percent of the treatment group was certified as adults while a smaller percentage (52 percent) of the control group was certified as adults. Only five percent of the treatment group and six percent of the control group were transferred to TDCJ from the Texas Youth Commission (TYC) through a determinate sentence. The remaining offenders were young adults whom TDCJ placed in the YOP. The exact reason for each placement is not indicated; however, TDCJ houses some young adults in the YOP due to their small size and stature and the risk of victimization if placed with older offenders in the general population.

The majority of offenders in both groups were incarcerated for a violent offense (78 percent of the treatment group and 75 percent of the control group), followed considerably by a property offense (15 percent of the treatment group and 13 percent of the control group). The treatment and control groups are similar in terms of other offense; however, they differ on drug offense. The control group is composed of more drug offenders (8 percent) than the treatment group (3 percent).

Of all offenders who committed a violent offense, the majority (65 percent) entered TDCJ through adult certification. The majority of property offenders (76 percent) entered as a young adult. All determinately sentenced youth had committed a violent offense.

The control group committed slightly more offenses resulting in their current incarceration than the treatment group. Offenders in the treatment group committed an average of 1.4 offenses, and offenders in the control group committed an average of 1.6 offenses.

Nearly 14 percent of the control group was identified as affiliated with a TDCJ-recognized gang, while only 4 percent of the treatment group was gang-affiliated. Gang affiliation should be considered with caution. The data do not indicate the date an offender was identified as a gang member. Correctional staff suggested older offenders, including older gang members, avoid young offenders because they are impulsive and difficult to control. Youthful offenders may belong to street or neighborhood gangs, which typically are not recognized by TDCJ, instead of larger TDCJ-recognized gangs (i.e., Crips, Bloods, Mexican Mafia, etc.). It is possible the offenders joined a gang after

leaving the YOP and entering the general population with older offenders. The larger percentage among the control group may be partially explained by recognizing this potential delay in joining a gang. As youth age out of the YOP and enter the general population, they may be more exposed to gang activity and join a TDCJ-recognized gang. Since the majority of the control group (92 percent) entered TDCJ from 1996 through 1998 and the majority of the treatment group (92 percent) entered from 1999 through 2000, the control group will consist of a greater percentage of offenders who have "aged out" of the YOP. If given a longer follow-up time, it is possible gang affiliation among the treatment group will reach that of the control group. Another possible explanation for the difference between treatment and control groups is that the therapeutic community has a negative effect on gang membership. Without knowing the order of occurrence, it is impossible to know the direction of the relationship.

While a majority of offenders committed a disciplinary infraction during the observation period, a smaller percentage of the treatment group committed an infraction (89 percent) compared to the control group (96 percent).

Chi-square analysis and independent sample t-tests were conducted to measure the association and test differences of means between the treatment group and control group (see Table 10). The results show the groups are statistically different in terms of age, education level, and gang affiliation. This suggests the control group is not the ideal comparison group; however, placement in the TC is not random. The inclusion of these covariates in more sophisticated models is necessary to control for these effects and prevent them from masking or inflating the effect of the therapeutic community.

Table 10: Chi-Square and Independent Samples T-Test Results, Control Variables on TC Participation

Variables	Test Statistic
Age[1]	-3.083**
White[2]	1.551
Education Level[1]	2.202*
Certified Adult[2]	0.956
Determinately Sentenced - TYC[2]	0.126
Young Adult[2]	0.682
Violent Offense[2]	0.263
Property Offense[2]	0.176
Drug Offense[2]	3.011
Other Offense[2]	0.111
Number of Offenses[1]	-1.947
Gang Affiliation[2]	7.332**

[1]The test statistic reported is the chi-square statistic.

[2]The test statistic reported is the t-score.

*p <.05 **p <.01 ***p <.000

Chi-square tests for association also were conducted to test the hypothesis that there was no association between participation in the therapeutic community and committing an infraction (see Table 11). Results are statistically significant suggesting the association is not due to chance but rather that there is a true relationship between participation and infraction.

Table 11: Chi-Square Tests for Association between Dependent Variable and TC Participation

Variables	Therapeutic Community Participation
Disciplinary Infraction	
Pearson Chi-Square	7.012**
Likelihood Ratio	6.184*

*p <.05 **p <.01

Chapter 5. Findings: Quantitative Analysis

Research Question 2: Does the therapeutic community reduce the hazard of committing an infraction?

5.1 Time-to-Failure

The hazard ratio ($\exp(\beta)$) from a Cox proportional hazards model has the following interpretation for a dichotomous predictor. It quantifies the relative risk of an event occurrence at any time t for an individual with covariate value x=1 when compared to an individual with x=0. For continuous predictors the hazard ratio quantifies the multiplier in the hazard associated with a unit increase in a predictor value for any time t. The invariance of the hazard ratio at all points in time is a key assumption of the Cox model and allows for considerable simplicity in interpreting effects in dynamic models. Hazard ratios below 1.0 indicate a decreased risk of committing a disciplinary infraction, and hazard ratios above 1.0 indicate an increased risk of committing a disciplinary infractions. Hazard ratios of 1.0 indicate the covariate is not associated with (i.e., does not have effect on) disciplinary infractions.

A categorical covariate with a hazard ratio of 1.5 indicates the risk of the event occurring is 1.5 times greater for those with the characteristic than for those without the characteristic. Similarly, a hazard ratio of 0.5 indicates the risk of the event occurring is 0.5 times lesser for those with the characteristic. A hazard ratio of 1.5 for the continuous

covariate age indicates that for every unit increase in age the hazard of the event occurring increases 50 percent.

Before interpreting a hazard ratio, statistical significance (i.e., Sig. in SPSS output) must be determined. A statistical significance of $p<0.05$, widely accepted in social science research, is utilized.

To measure the model significance, the -2 log likelihood (-2LL) is used. A significant -2LL indicates that at least one variable in the model is statistically significant. When changes in -2LL are significant from one block to the next, it can be interpreted that the second model provides a better prediction of the event than the first.

Covariates were introduced into the model in four blocks: 1) therapeutic community participation, 2) age, race/ethnicity, and education level, 3) method of entry into TDCJ, offense type, and number of offenses, and 4) gang involvement. Each block and their descriptions are below. Results are shown in Table 12.

Block 1

The first block introduced only therapeutic community participation into the model. This was done to measure the initial effect of participation prior to including control variables. The change in the -2 log likelihood (-2LL) from the baseline was not significant at the 0.05 level, indicating neither the model nor the covariate is statistically significant. This finding is confirmed when looking at the hazard ratio for TC participation. While the therapeutic community (TC) participation hazard ratio is 0.8,

suggesting participation in the TC decreases the risk of committing an infraction, the finding is not statistically significant (p=.170).

Table 12: Cox Proportional Hazard Model Hazard Ratios

	Block 1	Block 2	Block 3	Block 4
TC Participation	0.844	0.910	0.938	0.958
Age		0.979	1.003	0.994
White		1.113	1.112	1.107
Education Level		0.938***	0.935***	0.935***
Certified Adult[1]			0.947	0.929
Determinate Sentence - TYC[1]			0.943	0.927
Property Offense[2]			0.720	0.713*
Drug Offense[2]			0.809	0.961
Other Offense[2]			0.057	0.590
Number of Offenses			0.812	0.991
Gang Affiliation				1.238
-2 Log Likelihood	3823.348	3809.800	3802.484	3800.960
Chi-Square Change	1.937	13.548**	7.316	1.524

[1]The reference category is young adult.

[2]The reference category is violent offense.

*p <.05 **p <.01 ***p <.001

Block 2

With the addition of demographic measures (i.e., age, White, and education level) as control variables in Block 2, the change in the -2LL is statistically significant at the p<.05 level. No effect is shown for age or race, but education level is significant

(HR=0.938, $p<.001$). Each additional level of education decreases the hazard of committing an infraction by 6 percent. Participation in the therapeutic community fails to reach significance.

Block 3

Offense descriptors (i.e., method of entry into TDCJ, offense type, and number of offenses) were introduced into the model in Block 3. The change in -2LL is not significant, and none of the newly added measures are associated with time to infraction. The lack of predictive power of method of entry suggests that certified adults and determinately sentenced transfers are not different from young adults in terms of time to their first infraction. Prior institutional adjustment of youth transferred from the Texas Youth Commission (TYC) does not appear to increase or decrease the hazard of committing an infraction compared to young adults entering the Texas Department of Criminal Justice (TDCJ). The specific type of offense committed or the total number of offenses did not effect time to infraction. The only variable statistically associated with time to infraction was education level (HR=0.935, $p<.001$).

Block 4

Gang affiliation was introduced into the model in Block 4. Recognizing potential difficulties in interpreting the findings regarding gang membership, it was entered separately as the final control. The change in -2LL is not significant. The hazard ratio, 1.238, suggests gang members are at a greater risk of committing an infraction; however,

it is not statistically significant (p=.206). Once gang affiliation is included in the model, property offense becomes significant (HR=0.713, p<.05). Compared to offenders who committed a violent offense, property offenders have a 29 percent decrease in the hazard of committing an infraction during the one-year time frame. As anticipated from the results of previous blocks, participation in the therapeutic community fails to reach significance (p=.747).

5.2 Discussion

Results from the full Cox proportional hazard model indicate two control variables are statistically significant: education level and property offense. Both are shown to delay time to infraction during the one-year time frame. Contrary to what was anticipated at the onset of this research, participation in the therapeutic community, the key measure in the model, does not have a statistically significant effect on the hazard rate. In the full model, the hazard ratio is very slightly below 1.0 indicating a very slight decreased risk of failure (i.e., committing a disciplinary infraction); however, the lack of statistical significance suggests participation in the TC does not increase or decrease the risk of committing an infraction within the one-year time frame compared to non-participants (HR=0.958, p=.747).

It may be that everyone, or nearly everyone, who enters prison will violate a rule or regulation, and most will violate a rule early in their sentence. In general, youth sentenced to TDCJ are considered to be violent or habitual offenders (Texas Family Code, Title 3; Texas Human Resources Code § 61.079). Many come from disruptive

homes with little, if any, structure and supervision and are placed in an environment where structure and rules are critical to maintaining safety and security. It is not surprising they test the boundaries and commit an infraction.

These findings do not mean the therapeutic community is ineffective or should be discontinued. After verifying an overwhelming majority (94 percent) of youthful offenders committed an infraction during the time frame, the lack of statistical significance is not surprising. This initial analysis is not conclusive; therefore, additional statistical analyses were conducted to examine the relationship between the number of infractions committed and the severity of those infractions. It is possible TC participants commit fewer or less severe infractions than non-participants. Both of which are favorable outcomes in a prison-based program. The next chapter focuses on the frequency and severity of infractions using a sample of TC participants.

Chapter 6. Findings: Quantitative Analysis with Sample of Therapeutic Community Participants

Research Questions 3 & 4. Do therapeutic community participants commit fewer infractions over the course of their prison stay compared to non-participants? Are infractions committed by therapeutic community participants less severe than those committed by non-participants?

As detailed in chapter 3, a sample of therapeutic community (TC) participants with short wait times to enter the TC was drawn for a more accurate comparison of the treatment and control groups. Participants who entered the TC within two months of their entry into the Texas Department of Criminal Justice (TDCJ) were identified and selected as the sample treatment group. Using the sample treatment group and control group, time-to-failure is re-evaluated and regression analyses address the effect of participation on the frequency and severity of infractions.

Percentage distributions and means of select characteristics for the sample treatment group and control groups are provided in Table 13. The two groups are similar in age, with average ages of 16.8 and 16.9 respectively. The treatment group has a greater proportion of offenders classified as White (28 percent) compared to the control group (18 percent). As mentioned previously, the difference may be related to the racial/ethnic composition of the youth entering TDCJ and the year in which they entered.

Education level for both groups is considered seventh grade (7.8 grade level for the treatment group and 7.3 grade level for the control group).

Table 13: Percentages and Means for Select Characteristics by Group, Sample

Variables	Treatment Group *(n=50)*	Control Group *(n=291)*
Age at entry (14-17)	16.8	16.9
(SD)	*(0.5)*	*(0.3)*
White	28.0%	17.9%
Education Level (0-12)	7.8	7.3
(SD)	*(2.9)*	*(3.3)*
Method of Entry		
Adult Certification	48.0%	52.2%
Determinately Sentenced - TYC	0.0%	5.8%
Young Adult	52.0%	41.9%
Offense Type (most severe)		
Violent	74.0%	74.9%
Property	18.0%	13.1%
Drug	2.0%	7.9%
Other	6.0%	4.1%
Number of Offenses (0-11)	1.3	1.6
(SD)	*(0.6)*	*(1.1)*
Gang Affiliation	2.0%	13.7%
Disciplinary Infraction	92.0%	96.2%
Number of Disciplinary Infractions	6.1	9.4
(SD)	*(5.8)*	*(5.9)*
Severity of Disciplinary Infractions	38.0%	43.6%

The most common ways for both groups to enter TDCJ were through adult certification or as a young adult; however, the treatment group has a slightly greater percentage of adult certification and the control group has a slightly greater percentage of young adult. Determinate sentences are rare for both groups (approximately 6 percent of the control group and none in the treatment group).

Violent offense is the most prevalent offense type (74 percent of the treatment group and 75 percent of the control group) followed by property (18 percent and 13 percent, respectively). Drug offenses are more prevalent in the control group than treatment group (8 percent and 2 percent, respectively) and other offenses are more prevalent in the treatment group than control group (6 percent and 4 percent). The control group committed a slightly greater average number of offenses (1.6 offenses) than the treatment group (1.3 offenses).

Once again, the control group has a greater percentage of offenders identified as gang members (14 percent) than the treatment group (2 percent). As mentioned previously, findings regarding gang affiliation should be interpreted with caution since it is not know how long into their sentences they were determined to be affiliated with a TDCJ-recognized gang.

Nearly everyone in the treatment group (92 percent) and control group (96 percent) committed a disciplinary infraction during the observation period. The treatment group committed an average of 6.1 infractions, and approximately 38 percent committed an infraction of the highest severity level. The control group committed a greater average number of infractions (9.4 infractions), and more offenders (44 percent) had committed

an infraction of the highest severity level. In general, therapeutic community participants committed fewer and less severe infractions. Additional tests are conducted to determine the nature of this relationship and statistical significance.

Chi-square analysis and independent samples t-tests indicate the treatment and control groups are statistically different in terms of the number of offenses committed and gang affiliation (see Table 14). These findings indicate possible selection bias; however, assignment to the treatment or control group is not random. These measures are included in regression analysis to account for their effects.

Table 14: Chi-Square and Independent Samples T-Test Results, Control Variables on TC Participation

Variables	Test Statistic
Age[1]	-1.087
White[2]	2.805
Education Level[1]	0.869
Certified Adult[2]	0.306
Determinately Sentenced - TYC[2]	3.074
Young Adult[2]	1.763
Violent Offense[2]	0.019
Property Offense[2]	0.877
Drug Offense[2]	2.273
Other Offense[2]	0.357
Number of Offenses[1]	-3.398**
Gang Affiliation[2]	5.565*

[1]The test statistic reported is the chi-square statistic.

[2]The test statistic reported is the t-score.

*p <.05 **p <.01 ***p <.000

Chi-square tests for association were conducted to test the association between participation in the therapeutic community and infraction outcome (i.e., presence of an infraction, number of infractions, and infraction severity). Results are shown in Table 15. Tests suggest there is no association between TC participation and committing a disciplinary infraction or the severity level of the infractions. There is a statistically significant association with the number of infractions; however, due to the large number of cells with counts of less than five these results should not be interpreted as conclusive. More sophisticated analyses are conducted to determine the nature of the relationship and significance.

Table 15: Chi-Square Results, Dependent Variables on TC Participation

Variables	Therapeutic Community Participation
Disciplinary Infraction	
Pearson Chi-Square	1.807
Likelihood Ratio	1.530
Number of Disciplinary Infractions[1]	
Pearson Chi-Square	47.249**
Likelihood Ratio	52.109***
Severity of Disciplinary Infraction	
Pearson Chi-Square	0.555
Likelihood Ratio	0.560

[1]Chi-Square analysis for Number of Disciplinary Infractions show 23 cells (54.8%) have expected count less than 5.

*p <.05 **p <.01 ***p <.001

6.1 Time-to-Failure

Employing the identical block entry method described in the previous chapter, Cox proportional hazard modeling was conducted with the newly created treatment and control groups. Education level, age, and property offense are all statistically significant (see Table 16). Education level and property offense appear to have the similar negative effects as they had in the original Cox model—to delay infraction. Each additional level of education is shown to decrease the hazard of infraction by 5 percent (Block 4, HR=0.950, $p<.01$). The hazard of committing an infraction is 33 percent lower for offenders having committed a property offense than for offenders who committed a violent offense (Block 4, HR=0.669, $p<.05$). Unlike the original Cox model, once the treatment group is constrained to youth with short wait times to enter the TC, age becomes significant (Block 4, HR=0.603, $p<.01$). Every additional year decreases the hazard of committing an infraction by 40 percent.

As with the original Cox model, TC participation does not have a statistically significant effect on time-to-failure in any block (Block 4, HR=0.751, $p=.087$). It neither hastens nor delays the first infraction. Race, method of entry, number of offenses, and gang affiliation also are not significantly association with time to infraction.

Table 16: Cox Proportional Hazard Model Hazard Ratios

	Block 1	Block 2	Block 3	Block 4
TC Participation	0.735	0.743	0.739	0.751
Age		.595**	608**	.603**
White		1.260	1.330	1.325
Education Level		.949**	.950**	.950**
Certified Adult[1]			0.958	0.941
Determinate Sentence - TYC[1]			0.661	0.651
Property Offense[2]			.673*	.669*
Drug Offense[2]			0.977	0.989
Other Offense[2]			0.732	0.741
Number of Offenses			0.989	0.992
Gang Affiliation				1.200
-2 Log Likelihood	3248.080	3232.095	3224.653	3223.616
Chi-Square Change	3.924*	15.984**	7.442	1.037

[1]The reference category is young adult.

[2]The reference category is violent offense.

*p <.05 **p <.01 ***p <.001

6.2 Frequency

In analysis of infraction frequency, the dependent variable is a range from 0 (zero) to 20 (twenty) infractions in the one-year follow-up period. The 61 non-participants and three participants with an unknown number of infractions (i.e., at least 20 infractions) discussed in Chapter 3, are grouped into the 20 category. While it would be preferable to know their exact number of infractions, a 20+ category establishes an upper boundary.

By creating this boundary, the full effects of the independent variables may be diminished.

Table 17 provides the results from multiple regression analysis on the number of fractions committing during the one-year observation window. TC participation, age, and education level are statistically associated with infraction frequency. Participation in the therapeutic community has a statistically significant negative association with the number of disciplinary infractions committed within the one-year observation period. This relationship appears in Block 1 (beta=-0.197, $p<.001$), where TC participation is the sole variable, and persists through each subsequent block as controls are added. In the full model the negative standardized beta (beta=-0.205; $p<.01$) indicates that participation in the therapeutic community decreases the number of disciplinary infractions. TC participants commit 0.205 fewer infractions than non-participants.

Age and education level are negatively associated with the frequency of infractions. For every year increase in age, the number of infractions decrease 0.120 (Block 4, beta=-0.120, $p<.05$). For every level increase in education, the number of infractions decrease 0.224 (Block 4, beta=-0.224, $p<.001$).

The adjusted R square for the full model is 0.095, indicating that the independent variables explain 9.5 percent of the variance in the dependent variable. The adjusted R square decreased slightly after Block 2, suggesting Block 2 with TC participation, age, race, and education level explains more of the variance than subsequent models including offense characteristics, gang affiliation, and interaction term.

Table 17: Multiple Regression Results: Unstandardized and Standardized Coefficients

	Block 1	Block 2	Block 3	Block 4
TC Participation	-3.346***	-3.425***	-3.624***	-3.486***
	(-0.197)	(-0.202)	(-0.214)	(-0.205)
Age		-2.668**	-2.369*	-2.288*
		(-0.140)	(-0.124)	(-0.120)
White		0.588	0.587	0.553
		(0.039)	(0.039)	(0.036)
Education Level		-0.414***	-0.415***	-0.417***
		(-0.223)	(-0.223)	(-0.224)
Certified Adult[1]			0.479	0.429
			(0.040)	(0.036)
Determinate Sentence - TYC[1]			-0.550	-0.536
			(-0.020)	(-0.019)
Property Offense[2]			-0.416	-0.412
			(-0.024)	(-0.024)
Drug Offense[2]			-1.278	1.162
			(-0.054)	(-0.050)
Other Offense[2]			0.000	0.039
			(0.000)	(0.001)
Number of Offenses			-0.443	-0.455
			(-0.075)	(-0.078)
Gang Affiliation				1.083
				(0.059)
Constant	9.426	57.479	53.081	51.629
F Score	13.715***	10.395***	4.546***	4.248***
Adjusted R Square	0.036	0.100	0.094	0.095

Note: Beta (standardized coefficient) in parenthesis.

[1]The reference category is young adult.

[2]The reference category is violent offense.

*p <.05 **p <.01 ***p <.001

6.3 Severity

Binomial logistic regression was utilized to explore the relationship between participation in the therapeutic community and severity of infractions and determine if participation is associated with less severe infractions. Due to the distribution of infraction severity, severity level was categorized into two groups: 1) maximum severity and 2) moderate severity, minimum severity, or no infractions. Results (see Table 18) indicate TC participation, as well as age, race, method of entry, and number of offenses, are not statistically associated with severity level. Participation is negatively associated with infraction severity level, however, this association does not reach statistical significance (OR=0.901 at p=.099).

Three control variables are significantly associated with infraction severity: education level, drug offense, and gang affiliation. Every increase in education level decreases the likelihood of committing an infraction of maximum severity by 15 percent (OR=0.846, p<.001). For example, an offender with a 10^{th} grade education level is 0.85 times as likely to commit a maximum severity infraction than an offender with a 9^{th} grade education level. For offenders who committed a drug offense, the odds of committing a maximum severity infraction are 68 percent of the odds for offenders who committed a violent offense (Block 3, OR=0.316, p<05). However, once gang affiliation is added to the model drug offense is no longer statistically significant. Gang affiliation is the largest predictor (Block 4, OR=2.907, p<.01). The odds of a gang member committing a maximum severity infraction are 191 percent of the odds for youth not identified as gang

members, or, offenders affiliated with a gang are 2.907 times more likely to commit a maximum severity infraction than offenders not identified as gang members.

The steady increase in the Nagelkerke R square (Block 4, R^2=0.137) suggests the final block explains more of the variance in the dependent variable than the other blocks.

Table 18: Logistic Regression Results: Odds Ratios

TC Participation	0.791	0.816	0.794	0.909
Age		1.125	1.327	1.457
White		1.474	1.486	1.457
Education Level		0.855***	0.852***	0.846***
Certified Adult[1]			1.130	1.074
Determinate Sentence - TYC[1]			0.750	0.748
Property Offense[2]			0.674	0.670
Drug Offense[2]			0.316*	0.352
Other Offense[2]			0.661	0.681
Number of Offenses			1.027	1.017
Gang Affiliation				2.907**
Constant	0.774*	0.307	0.020	0.004
-2 Log Likelihood	465.101	446.066	437.913	429.085
Chi-Square	0.560	19.595**	27.748**	36.576***
Nagelkerke R Square	0.002	0.075	0.105	0.137

[1]The reference category is young adult.

[2]The reference category is violent offense.

*p <.05 **p <.01 ***p <.001

Chapter 7. Conclusion

7.1 Discussion

The juvenile justice system is alive and ever-changing. Policymakers continue to review its components and make adjustments to improve the system. These actions may have the intended and unintended consequences of increasing the number of youth waived to the criminal court or transferred from the Texas Youth Commission (TYC) to the Texas Department of Criminal Justice (TDCJ). Reforms in the 1990s contributed to an initial increase in the number of youth incarcerated in TDCJ. In response to this growth TDCJ established the Youthful Sheltered Housing Program, which later became the Youthful Offender Program (YOP).

Interviews with treatment and security staff and surveys of correctional officers who worked at five youth-oriented prisons in Texas were conducted to ascertain an insider's point of view of the YOP and youthful offenders in general. The subjects provided a wealth of information on varied topics. First and foremost, youthful offenders are different than adult offenders. They are considered to be more immature, impulsive, volatile, lacking in self-control, and lacking in forward thinking than adult offenders. They are also considered to be needy and emotional. They are a unique population that requires a unique, specially trained staff to effectively manage them. Both interviewees and survey respondents expressed the belief that staff working with youth should receive training tailored toward strategies and techniques effective with youth. While all offenders in prison are under constant supervision, staff reported that youthful offenders

require a greater amount of supervision. Staff must be patient and are often required to don the hat of parent-figure. However, the impulsive behavior of youth requires them to also be alert.

Staff reported that youth arrive at TDCJ with a multitude of needs. They often have a poor home life with little structure or support. Substance abuse and mental health problems are common, and they tend to have educational difficulties and lack social skills. Responses were mixed as to the effectiveness of the YOP. Interviewees indicated the YOP helps build self-esteem and aids institutional adjustment. Survey responses, however, suggest the YOP does not have much of an effect on aiding institutional adjustment, aiding the transition to the general population, or preparing youth for release into society. In general, the YOP is viewed as a useful management tool. It provides a structured day filled with activities to occupy their time. Idle time is considered dangerous. It allows offenders time to contemplate or plan dangerous and/or illegal activity. Interviewees suggested that the threat of removing an offender from the program was an effective deterrent.

Using TDCJ individual-level data, this study quantitatively examined one component of the Youthful Offender Program—the therapeutic community (TC). YOP participants from 1996–2002 were separated into treatment and control groups, with 102 offenders identified as therapeutic community participants and (i.e., the treatment group) and 291 offenders identified as non-participants (i.e., the control group). Comparing percentage distributions and means, therapeutic community participants were found to be approximately the same age as non-participants, have a slighter larger representation of

white offenders, be slightly more educated, and have less gang representation. They entered TDCJ through similar means, with a slightly greater percentage through adult certification and slightly smaller percentage through transfer from TYC or as young adults. Participants committed similar types of offenses as non-participants, although they have a greater representation of violent offenders and smaller representation of drug offenders. Fewer TC participants committed an infraction during the one-year observation window. Test for differences and associations indicate the groups are statistically different in terms of age, education level, and gang affiliation; however, placement in the group is not random.

Using Cox proportional hazard modeling, survival (i.e., no disciplinary infraction) for therapeutic community participants and non-participants from entry through one year follow-up was analyzed. Participation in the TC did not have an effect on time to infraction. During the one-year time frame of analysis nearly all youthful offenders (94 percent) committed a disciplinary infraction, so it is not surprising TC participants were not at a greater or lesser risk of committing a disciplinary infraction than non-participants – even when taking into account participants may have had time to adjust to prison prior to the evaluation time frame.

Only education level and property offense were statistically associated with time to first infraction in the full model. Every additional level of education decreased the hazard of committing an infraction. Having committed a property offense was the stronger predictor of infraction; it delayed infraction compared to violent offenders.

Given the limitations associated with analyzing the entire TC participant cohort with lengthy delays between entering TDCJ and entering the therapeutic community, a sample of TC participants with a short time delay (i.e., less than two months) was analyzed. Tests for association and differences of means indicate the treatment and control group are statistically different in terms of number of offenses and gang affiliation. Results from a Cox proportional hazard model with this sample treatment group are very similar to those from the original Cox model. Both increased education levels and property offense (compared to violent offense) reduced the risk of committing an infraction. One additional control variable, age, was significant in the sample treatment group model. Every year increase in age decreased the hazard of committing an infraction. One possible explanation for the impact of age is that they are aging out of offending (or aging out of disruptive behavior in prison). It is also possible that increases in age bring increases in wisdom. Older youth may be better able to control their behavior or may know alternate, pro-social, ways of coping with a stressful situation. Once again, participation in the TC did not reduce the hazard of committing an infraction within the one-year time frame.

Results from multiple regression analysis indicate TC participation has a statistically significant negative association with the number of infractions committed during the one-year observation period—participants committed fewer infractions than non-participants. Two control variables were also significant: education and age. Increases in education level and increases in age were associated with committing fewer

infractions. Once again, it is possible the youth are aging out of offending or developing better reasoning skills as they grow older.

Logistic regression analysis shows that participation in the TC was not statistically associated with the severity of infractions. TC participants are neither more nor less likely to commit a infraction of maximum severity (i.e., escape, assault with or without a weapon, and riot). Increases in education level decreased the odds of committing a maximum severity infraction; gang affiliation increased the odds of committing a maximum severity infraction. However, the interpretation of the relationship with gang affiliation should be used with caution. Gang membership was not identified by date; therefore, it was not apparent if membership occurred prior to entering TDCJ, while in the YOP, or after entering general population.

Results from this study suggest that youthful offenders are impulsive and have no regard for the consequences of their actions. This assertion is supported by the data, which show nearly all youthful offenders committed an infraction within the first year of their incarceration or within the first year after entering the TC, as relevant. They were also described as volatile by nature and are considered to be violent or habitual offenders. This is also supported by the data, which show nearly all youth committed an infraction of moderate or maximum severity.

While the TC does not appear to be effective at delaying the first infraction or reducing the severity of infractions compared to the control group, findings indicate it is effective at reducing the number of infractions a youth commits. This suggests the TC's cognitive intervention, aggression replacement, and relapse prevention training is

beneficial and provides the offenders with skills they need to cope with stressful situations. Positive support and accountability taught in the daily encounter sessions—both of which youth may have lacked at home—may help them apply lessons learned from past mistakes (i.e., their incarcerating offense as well as infractions committed in prison) to future situations. In other words, while the TC does not stop or delay the first infraction, it can reduce the number of subsequent infractions. Reducing the number of infractions can have enormous implications on the security and safety of offenders and staff.

7.2 Research Limitations

As with any research, certain limitations exist. The nature of the data constrained the measures included and the type of analyses conducted. It did not allow for the inclusion of certain variables of importance. For many variables (i.e., educational and rehabilitation programs, vocational programs, visitation, criminal history, etc.) the potential beneficial or detrimental effects could not be observed in this research.

Most facilities offer several programs aimed at education and rehabilitation, such as: counseling, adult basic education (literacy), GED preparation, college courses, special education, English as a Second Language, reintegration skills, cognitive intervention, alcohol and drug treatment, and sex offender treatment (Texas Department of Criminal Justice 2004). The TDCJ data include participation in up to 20 types of programs; however, dates of participation are not provided. The total number of educational programs – allowing for more than 20 programs – is also included; however,

any additional programs and their dates of participation are not included. Therefore, it is impossible to identify the number of educational programs in which an offender participated during the observation window. This study identified education level as a significant factor in disciplinary infraction outcome; however, it was unable to include educational and rehabilitation programs to determine which programs are the most beneficial.

A wide array of vocational classes are offered in the prison system, such as automotive trades, construction trades, horticulture/landscape trades, welding and other metal trades, diesel mechanics, and computer related trades (Texas Department of Criminal Justice 2004). The TDCJ data include participation in up to 20 types of vocational training classes. The issues with number and date of participation in educational programs explained above also apply to vocational classes.

Upon entry into TDCJ all offenders submit the names of up to 10 visitors. Those approved by TDCJ are placed on the offender's "Approved Visitors List". All individuals on they approved visitors list are allowed *general visitation* at designated visitation hours on condition that the offender meets all criteria (i.e., they are *not* in solitary confinement, close custody, administrative segregation, lockdown status, or intake and diagnostic processing). This form of visitation is conducted within the main building of the prison facility and physical contact is not permitted. A glass wall or other barrier usually separates the visitors. *Contact visitation* – in which "embracing and kissing is permitted once at the beginning and once at the end of each visit" (*Texas Department of Criminal Justice 2004: 65*) – is restricted to immediate family members

and select significant others. These visits may occur outside of the main building but within the fenced perimeter. Due to the greater amount of freedom allowed, it is restricted to minimum security (G2, and G3), trusty (G1), protective custody, and some medium security (G4) offenders provided they meet additional criteria. The frequency and length of both regular and contact visits vary depending upon the offender's custody status. The last form of visitation, s*pecial visitation,* is limited to attorneys or other legal representatives. Prisoners are allowed an unlimited number of special visits (*Texas Department of Criminal Justice 1997*). The TDCJ data include up to 20 visitation dates for each type of visitation (regular, contact, and special) and also provides a grand total for all visits since entry. The issues with number and date of participation in educational programs and vocational classes explained above also apply to visitation.

The data set included several variables that were originally believed to be useful in identifying prior criminality and/or prior interaction with the justice system. Measures of release, prior parole release, and prior revocation primarily reflect actions taken regarding the offense for which they are currently incarcerated not a previous offense. Offenders transferred from TYC had experience in the juvenile justice system; however, the data do not indicate how many youth had a long, troubled history with the justice system (i.e., prior arrests, prior convictions, prior probation terms with or without residential placement, etc.).

The measure of gang affiliation is useful in identifying offenders belonging to a TDCJ-recognized gang (i.e., Aryan Nation, Blood, Crip, Mexican Mafia, Texas Syndicate, etc.); however, interview responses indicated that youth often belong to street

or neighborhood gangs, which are not included, instead of the recognized gangs. If able to measure street or neighborhood gang involvement, gang affiliation may play a greater role in disciplinary infraction outcome. Furthermore, the gang affiliation variable is not accompanied by the date gang identification was made. Security and treatment staff suggested that gangs do not want youthful offenders as members because they are impulsive and difficult to control. Some youth identified as gang members may have joined the gang after leaving the TC and/or YOP and entering the general population. Additional research should be conducted to disentangle the relationship, if any exists, between the YOP, TC, and gang membership. It could be identified through better record keeping, which would include a date variable, or comprehensive interviews with youth as they enter TDCJ and again when they enter the general population.

The nature of the data also did not permit analysis of the frequency or severity of disciplinary infractions among the entire YOP population. Survival analysis indicated participation in the therapeutic community does not have an effect on risk of committing an infraction. Sampling TC participants allowed for additional analyses and indicated participants commit fewer infractions but not necessarily less severe infractions than non-participants.

A final constraint of the data relates to data maintenance. Once an offender is released, much of their information is erased from the mainframe. If an offender returns to prison, much of their information is written over with new information regarding their most recent offense. This practice can be problematic when researching offenders' histories, especially if they have multiple admissions to TDCJ.

7.3 Policy Considerations

Partial Support for the Therapeutic Community

This research lends partial support for the benefits of the therapeutic community in terms of affecting immediate in-prison behavior. Regression analysis indicates participants of the TC commit fewer disciplinary infractions than non-participants. Additional analyses indicate the TC does not have a statistically significant effect on the severity of infractions or time-to-failure. It appears that nearly all youth commit a disciplinary infraction within one year of entering prison, and most commit an infraction that is of either moderate or maximum severity. While the therapeutic community does not appear to lessen the certainty or severity of infractions, it does reduce the number of infractions an offender commits. In terms of prison security, reducing the frequency of rule violations would reduce the amount of time required to resolve the disturbances and increase the safety of staff and offenders.

Provide and Support Educational Opportunities for Youthful Offenders

Correctional facilities should continue to offer and enhance educational opportunities for all offenders. In every statistical model, education is statistically associated with disciplinary infractions. Education is associated with fewer infractions, less severe infractions, and a greater time-to-failure.

Provide Specialized Training

Security staff must recognize that youthful offenders differ from adult offenders, even those housed at the same facility. Interviews with security and treatment staff indicate youthful offenders are impulsive and lack self-control. They often require repeated explanations of orders or rules. Management techniques useful with adults may not be useful with youth. Specialized training on managing youthful offenders should be encouraged for all security staff.

7.4 Future Research

Possible areas to expand this research are plentiful and timely. Juvenile justice issues and youthful offenders are being focused on more and more in Texas and nationwide. The Texas Juvenile Probation Commission (JPC) and TYC were recently examined by the Sunset Advisory Commission (2009). As a result, many changes have been proposed by the Texas Legislature that may indirectly impact the number of youth certified as adults or receiving a determinate sentence with transfer to TDCJ. As policies and practices change, the youthful offender population should be continually monitored to identify and examine the intended and unintended consequences.

Expand Qualitative Analysis

Qualitative analysis should be expanded to include comprehensive interviews with youthful offenders. Pre-therapeutic community interviews would provide detail on offender history and also serve as a baseline for post-therapeutic community interviews,

from which change in attitude and behavior could be observed. Discussions should include an array of topics, such as criminal history and involvement in the juvenile justice system, family issues (i.e., parental or sibling criminality, family structure and support, etc.), educational needs and learning disabilities, mental health needs, in-prison program participation, gang involvement prior to their offense and while in prison, the therapeutic community (i.e., what they like, what is most/least helpful, what they would change, how it has changed their attitude or behavior, etc.), and their future in and out of prison.

Adjust Measures of Covariates

Future quantitative research should attempt to measure educational and vocational program participation and visitation in a manner that would permit their use in statistical analysis. Outcome evaluations should incorporate and control for other programs or events that may have an effect on the institutional adjustment. Interviews with security and treatment staff suggest visitation is beneficial. Quantitative analysis should examine the statistical significance of that association and would help to confirm that positive or negative findings are likely a result of participation in the therapeutic community and not related to participation in other programs or visitation by family and friends.

Gang affiliation and its effects on infractions should be examined further; however, this cannot happen without a better indicator. Identifiers of gang membership should include the date membership was confirmed by the prison system. This information would help to disentangle the direction of the relationship between membership and the severity of infractions.

Adjust Observation Window

For TC participants included in this research, the observation window begins at the time of entry into the TC. Subsequent research should start the observation window on the date they depart the TC. Adjusting the observation window in this manner would provide an evaluation of the effects of successful completion of each stage. The evaluations of therapeutic communities reviewed for this research focused on the effects of participation after completing the program (Inciardi et al. 2004; Knight et al. 1999; Wexler et al. 2004). This analysis should include comparisons of successful completers, non-completers, and non-participants.

Increase Sample Size

This study utilized data that was collected from the onset of the TC and was limited to youth who entered the TC in its first year of operation only. In July 2009, the therapeutic community will have been in operation for nine years. Future research could greatly expand the number of TC participants by including youth who participated at any time during the nine years of operation.

Extend Observation Window

While the majority of youth in this study committed an infraction within the one-year follow-up period, future research should extend the observation window to a more common three-year period. A three-year follow-up would allow for greater analyses of

the infractions and also permit analyses of other outcome measures (see the discussion below).

Explore Alternate Outcome Measures

Rather than focusing on the number of infractions or severity of infractions, it would be beneficial to examine the relationship between these measures. A weighted measure incorporating both the number and severity of infractions may provide a better, or more complete, picture. A weighted measure could differentiate between youth who committed many infractions all of minimum severity versus youth who committed few infractions of all maximum severity versus youth who committed a combination of severe, moderate, and minimum infractions.

Expanding the follow-up period, as discussed earlier, would allow for outcome measures other than in-prison behavior. As these youth serve their sentences and are released from prison, they should be monitored for recidivism. It would be possible to calculate three-year rearrest or reincarceration rates and compare those rates to the recidivism rates of the general population or a sample of releasees who match the TC participants on key characteristics.

Examine Program Changes

Since data collection, the YOP was reorganized as the COURAGE Program for Youthful Offenders. Similar research on participants who attended the program after these changes were implemented should be conducted to determine if the reorganized

program has the intended effects. Research questions should address any improvement or lack of improvement in the institutional adjustment of youthful offenders. Specifically, does the reorganized program reduce the frequency, severity, or certainty of infractions? Findings should be compared with this analysis to determine which organization structure is the most beneficial in terms of offender success as well as prison security and safety.

Appendix A: Individual-Level Data and Descriptions

age	Offender's age at entry into the Texas Department of Criminal Justice
dob	Date of birth
race	Race/Ethnicity
sex	Sex
cert	Indicates adult certification
tyctran	Indicates transfer from the Texas Youth Commission into the Texas Department of Criminal Justice
receivedate	Receive date into the Texas Department of Criminal Justice
Day_entered_TC	Indicates first date of admission to therapeutic community
@2nd_Date_Entered_TC	Indicates second date of admission to therapeutic community
heasc	Educational achievement test score
culecd1 - culecd10	Custody level changes
cudat1 - cudat10	Date of custody level change
nciccd1 - nciccd20	Offense of record
totoff	Total number of offenses
reltyp1 -reltyp20	Release type
reldat1 - reldat20	Release date
smmctp1 - smmctp20	Process type of revocation
sppcod1 - sppcod20	Prior parole code

spdate1 - spdate20	Prior parole date
gangaff	Self-reported gang affiliation
dispcd1 - dispcd20	Disciplinary offense
disdat1 - disdat20	Date of disciplinary offense
totdisp	Total number of disciplinary offenses
sppgm1 - sppgm10	Program participation
partcd1 - partcd10	Program participation code
totpart	Total number of programs
scvdat1- scvdat20	Date of contact visits
nbconvi	Total number of contact visits
srvdat1 - srvdat20	Date of regular visits
nbreg	Total number of regular visits
ssvdat1 - ssvdat20	Date of special visits
nbsplvi	Total number of special visits
svsuds1- svsuds20	Vocational training
totvoc	Total number of vocational programs

Appendix B: Interview Instrument

YOUTHFUL OFFENDER PROGRAM (YOP) STAFF AND PROGRAMS & SERVICES

SECTION A: BACKGROUND (ASK ALL RESPONDENTS)

THE FOLLOWING SHOULD BE BASED ON OBSERVATION ONLY

Sex

Race

THANK RESPONDENT (R) FOR PARTICIPATION. ASSURE R THAT THE INTERVIEW IS COMPLETELY VOLUNTARY AND ALL RESPONSES WILL BE KEPT CONFIDENTIAL. IF THEY ARE UNABLE TO ANSWER OR ARE UNCOMFORTABLE WITH ANY QUESTION, THEY MAY SKIP THAT QUESTION OR TERMINATE THE INTERVIEW.

BEGIN INTERVIEW

q1.
1. How long have you been employed by TDCJ-ID?

q2.
2. What is your current job title?

q3.
3. What positions have you held while you have been at TDCJ-ID?

SECTION B: YOUTHFUL OFFENDERS (ASK ALL RESPONDENTS)
THESE QUESTIONS REFER TO ALL YOUTHFUL OFFENDERS -- YOP AND NON-YOP.
q4.
1. Tell me about youthful offenders as inmates. By youthful offender, I mean anyone under 18 years of age and housed in an adult prison facility. How are they different from "adult" inmates? PROBE EXTENSIVELY

q5.
2. Do youthful offenders come to prison with different circumstances and problems than adults? (PROBE IF NECESSARY: family, economic, educational, emotional, maturity level?

q6.
3. Do youthful offenders present particular management or control problems or challenges? What are those? PROBE: Safety and security. Behavioral or disciplinary challenges. Special needs of the inmates. Other factors such as family visitation etc.

IF NECESSARY DEPENDING ON RESPONSE TO ABOVE QUESTION
q7.
3a. How are these management problems or challenges different from those of adult inmates? How important or significant is each? That is, how big of a problem is each?

q8.
4. Why are youthful offenders in this unit separated from adults? Do they have any contact? Under what circumstances?

q9.

4a. Does this separation make inmate control easier? If so, why? How would control issues differ if youthful and adult offenders were integrated? What problems do you think the presence of youthful offenders would cause?

ASSURE THAT RESPONDENT CAN ANSWER QUESTIONS ABOUT YOP.
THESE QUESTIONS ARE ABOUT ALL YOUTH IN YOP -- TC AND NON-TC YOUTH.

Now, I would like to ask you some questions about the Youthful Offender Program or YOP.

q10.
5. What is the YOP? Can you describe it to me? What do you believe are the goals or purposes of YOP? Please explain.

q11.
6. What determines placement into YOP versus the general prison population?

q12.
7. Tell me about the offenders in the YOP. What types of offenses did they commit typically? What are most common?

q13.
8. Are there specific needs (by that I mean assessed needs) that are related to their involvement in crime? PROBE IF NECESSARY (by that I mean substance abuse, physical or sexual abuse, poor home environment, mental health problems).

q14.
9. Do you believe the goals of having youthful offenders participate in YOP to be punishment-, incapacitation-, deterrence-, or rehabilitation-oriented? Why does TDCJ do that? ASK TO ELABORATE

q15.

9a. Which of these (RESTATE R's RESPONSES) do you believe are the primary or most important goals? Why?

q16.

9b. How well do you believe YOP is accomplishing (INSERT R's RESPONSES)? Why do you say that? What do you believe facilitates accomplishing these goals? What do you believe stands in the way of accomplishing these goals or makes that more difficult?

q17.
10. Are there other things in addition to GOALS MENTIONED that you believe YOP can or should be doing? Please elaborate.

q18.
11. Tell me about the YOP as a place to work. IF WORKED WITH ADULTS - How does it differ from the general population? Is it better or worse, or about the same as the general population? Why?

q19.

12. Do YOP staff undergo special training (training that is different from training received to work in the general population)? What is it? Is it sufficient? What else should be included?

q20.
13. How are staff selected to work in the YOP? Request? Based on specific skills? Rotation?

IF RESPONDENT IS TREATMENT STAFF (I.E., WINDHAM, CHAPLAIN) SKIP TO SECTION E: REHAB & RELEASE.

SECTION C: CUSTODIAL ISSUES (ASK YOP, PROGRAMS & SERVICES, AND SECURITY, NOT TREATMENT STAFF)
QUESTIONS ARE ABOUT ALL YOUTH IN YOP -- TC AND NON-TC YOUTH.

q21.
1. How do safety and security issues differ among youthful and adult offenders?

q22.
2. What steps have been taken to ensure the security of youthful offenders and staff?

q23.
3. Do younger youthful offenders often fall prey to older youthful offenders? To adults? How common is this? What measures are taken to prevent predatory crimes among this population?

q24.
4. Do specific types of offenders tend to fall prey to other types such as race/ethnic related conflicts, or gang related conflicts? Which? How common? What measures are taken to prevent predatory crimes among these groups? Are there any special precautions taken to protect staff working with youthful offenders?

q25.
5. Are there special procedures or strategies in place to manage youthful inmates? That is, are the policies and procedures at the YOP different than the policies and procedures in the general population? How so? PROBE

q26.
6. What strategies or tactics do you believe are effective for managing youthful offenders? How do they differ from strategies used for adult offenders? What other strategies should be adopted to effectively manage youthful offenders?

q27.
7. It is expected that the youthful offender population will increase over the next few years. What behavioral and management problems do you anticipate as a result of this increase? What can be done to alleviate PROBLEM(S) MENTIONED?

q28.
8. What management or behavioral problems arise in preparing youth for transfer from YOP into the adult population? Explain. How do you believe these problems are best handled? What programs or strategies currently exist to prepare youth for this transfer? Please describe.

SECTION D: INSTITUTIONAL ADJUSTMENT (ASK YOP, PROGRAMS & SERVICES, AND SECURITY, NOT TREATMENT STAFF)
EXCEPT WHERE NOTED, QUESTIONS ARE ABOUT ALL YOUTH IN YOP -- TC AND NON-TC.

I now want to focus on adjustment to prison.

q29. CONDITIONAL BASED ON KNOWLEDGE OF ADULT OFFENDERS

1. How does the adjustment to prison of youthful offenders differ from the adjustment of adult offenders? TC vs. non-TC youth?

IF NECESSARY DEPENDING ON RESPONSES TO ABOVE QUESTION

q30. CONDITIONAL BASED ON KNOWLEDGE OF ADULT OFFENDERS

1a. Have you noticed any initial adjustment differences, in the first 2-3 months, between youthful and adult offenders? IF YES - What are they? What do you believe are the primary sources of these differences? TC vs. non-TC youth?

q31. CONDITIONAL BASED ON KNOWLEDGE OF ADULT OFFENDERS

1b. What about longer-term differences, after 1 year of incarceration? Have you noticed any longer-term adjustment differences between youthful and adult offenders? IF YES - What do you believe are the primary sources of these differences? TC vs. non-TC youth?

q32.

2. What do youth typically do to successfully adapt to institutional life? How do they successfully cope? Are these different than those for adults?

q33.

3. What causes youthful offenders to get in trouble while incarcerated? What are the typical situations or circumstances that lead to trouble?

q34.

4. Do you believe that youthful inmates get in trouble more than adult inmates, that is commit more disciplinary infractions than adult offenders?

q35.

5. Does institutional adjustment differ between certified youths, determinate sentenced transfers, and young adults? If yes, how? PROBE: distinctive coping strategies, verbal versus physical responses, gang involvement. Are there either initial or longer-term adjustment differences? IF YES - What are the primary sources of these differences?

IF NECESSARY DEPENDING ON RESPONSE TO QUESTION ABOVE

q36.

5a. Do you believe there is a greater incidence of fighting or serious infractions among one group of youthful offenders compared to the others? For example, in terms of race/ethnicity IF YES - Why do you believe this to be the case?

q37.

6. Tell me about the offender culture within YOP. How does it differ from the adult culture in the general population? TC vs. non-TC youth?

q38.

7. Have you noticed any adjustment or behavior differences between age groups? Race/ethnicity?

q39.

8. Why do some youth adjust better than others?

q40.

9. Why do some youth do better throughout their incarceration than others?

q41.
10. How would you characterize gang activity among youthful offenders? Is it prevalent? To what extent are fighting and other serious infractions related to gang activity? How does the fighting/gang relationship differ among youthful and adult offenders?

q42.
11. How and why is administrative segregation used? Under what conditions would a youthful offender be placed in administrative segregation? For how long? What are the restrictions (i.e., how often let out of the cell, etc.)? How does the use of ad seg differ for adult offenders?

q43.
12. Under what conditions would a lockdown be implemented? What typically leads to a lockdown? Are lockdowns typically triggered by something involving youthful offenders? Would you explain how it is done? Is a lockdown a rare event on this unit or fairly common?

q44.
13. Under what conditions would a youthful offender be placed in protective custody? What is the most common reason to place a youthful offender in protective custody? Does the use of protective custody differ for adults? How? Using your best guess, how often is protective custody utilized?

q45.
14. Is threat of suicide more common among youthful inmates that adults? What warning signs do you look for? After someone is identified as a suicide risk, what happens?

q46.
15. Would you describe for me the process and organization of visitation at YOP?

IF NECESSARY DEPENDING ON RESPONSES TO ABOVE QUESTION
q47.
15a. Who or what determines which visitors a youthful offender may have? How often are they allowed visitors? Are they allowed contact with visitors?

q48.
15b. Do you feel that visitation with family and friends affects the behavior and disposition of youthful offenders? In what way? THIS COULD BE POSITIVE OR NEGATIVE. (To what extent do you believe that visitation with family and friends is related to adjustment?)

IF WORKED WITH ADULTS
q49.
15c. Does visitation differ among the general prison population?

q50.
16. Are youthful offenders allowed to make and receive phone calls? IF YES, How often? What is the process?

SECTION E: REHABILITATION/RELEASE ISSUES (ASK YOP AND TREATMENT STAFF - Windham, psychologists- NOT SECURITY).
QUESTIONS FOR ALL YOUTH IN YOP -- TC AND NON-TC.

q51.
1. What is the current capacity of YOP?

q52.
2. Do you believe the present staff-offender ratio in YOP is sufficient to effectively supervise and manage the offenders? Please explain.

ASSESS IF R HAS KNOWLEDGE OF DIAGNOSTIC ASSESSMENT. IF NO - SKIP TO QUESTION 4.

q53.
3. How often are assessments and reassessments of youthful offender needs conducted? What is the process? What instruments are used for risk and needs assessments?

q54.
3a. Are there any changes you would recommend for the diagnostic assessment process? What and why?

q55.
4. How, if at all, do youthful offenders differ from adult offenders in terms of assessed needs? PROBE: That is, are the problems that youthful offenders have different from the problems of adult inmates. PROBE AS NECESSARY: family issues (institution as family), educational, emotional, mental health, immaturity, etc. TC vs. non-TC youth?

NOW FOCUS ON YOUTH IN THE TC.

q56.
5. What treatment programs are available in YOP? PROBE: educational/special education, vocational, substance abuse, sexual offender, mental health, family-related, group or individual counseling.

IF THEY HAVE KNOWLEDGE OF PROGRAMS
q57.
5a. What are the eligibility criteria for youthful offenders to participate in treatment and rehabilitation programs?

q58.
5b. Is the variety of programs generally sufficient for the needs of youthful offenders? If not, what types of programs are not provided that you believe should be?

q59.
5c. Is treatment readiness of YOP participants assessed prior to treatment? If so, how? What instrument or what procedure is used?

q60.
6. Is program capacity generally adequate to accommodate the youthful offenders in your facility that need to be in programming or are eligible for programming? USE PROGRAMS MENTIONED IN QUESTION 3 ABOVE TO PROBE FOR PROGRAM CAPACITY OF SPECIFIC PROGRAMS. If no, how much does capacity need to increase in order to meet the need?

q61.
7. What changes would you make to current programming to improve effectiveness? (PROBE: quality, size, length, etc?) Are there specific programs that you believe need changes or improvement?

q62.
8. Are there any programs that you would like to see eliminated? Why?

q63.
9. What impact does participation in programming have on youthful offenders' adjustment to institutional life? Is participation in programming a useful tool for managing youthful offenders? Why or why not?

q64.
10. What impact does participation in programming have on preparing youthful offenders for release from incarceration? Are there particular programs that are better than others in preparing youthful offenders for release? Which ones?

q65.
11. Are family members of youthful offenders allowed (or required) to participate in group counseling or other programs? Please explain.

q66.
12. IF WORKED WITH BOTH ADULT AND YOUTHFUL OFFENDERS - How do adult and youthful offenders differ in terms of participation in in-prison treatment programs? PROBE AS NECESSARY: more or less attendance, greater or lesser receptiveness, willingness to participate

q67.
13. Does participation in treatment differ among certified youths, determinate sentenced transfers, and young adults? PROBE: more or less attendance, greater or lesser receptiveness, willingness to participate.

THE FOLLOWING QUESTIONS ARE FOR ALL YOUTH IN YOP -- TC AND NON-TC.

q68.
14. What barriers, if any, are there to providing treatment to youthful offenders? PROBES: money/resources, space, eligibility criteria, uncooperative/unwillingness to participate, maturity level, other. What do you believe can be done to remove those barriers?

q69.
15. What are *your* personal expectations for youthful offenders upon their release or transfer to the adult population? Do you think they leave YOP in better condition that when they entered? (PROBE: mentally, socially, educationally, etc.) Please explain why or why not. Do you feel they are ready to leave?

q70.
16. Is there anything else that TDCJ could or should do with regard to youthful offenders to:

q71.
16a. facilitate their adjustment to institutional life

q72.
16b. increase their chances of success when they are released

q73.
17. Is there anything else, either something we have or haven't talked about, you would like to add?

THANK R FOR PARTICIPATION.

SECTION F: CLASSIFICATION (ASK PROGRAMS & SERVICES, CLEMENS AND HILLTOP CLASSIFICATION CHIEF)

q74.

1. Would you tell me about classification? How are youthful offenders classified when they enter? (What is the process? What factors enter into the decision?) Are there any problems or difficulties with proper classification? Please explain.

   q75.

   1a. How does classification impact a youthful offender's placement within the Institutional Division?

   q76.

   1b. Under what circumstances might an offender be reclassified?

THANK R FOR PARTICIPATION.

Appendix C: Line Personnel Survey

Youthful Offenders in the Texas Department of Criminal Justice
Line Personnel Survey

Instructions:

Thank you for your participation in this survey. Please do not include your name on the survey. It is confidential and the information cannot be identified as yours. Your participation is voluntary. Non-participation will not be used against you in any way. Your responses should represent your opinions only and will not be viewed as Texas Department of Criminal Justice statements. We anticipate asking approximately 50 to 75 TDCJ employees to complete this questionnaire.

After completion, please return the survey in the enclosed self-address stamped envelope. If you have any questions about this survey or Institutional Review Board procedure and approval, please contact Dr. Bill Kelly at (512) 471-1122.

For the purpose of this survey, "youthful offender" refers to a person aged 14-17 incarcerated in an adult prison facility. Please be aware than any reports of abuse of inmates will be reported to TDCJ.

SECTION A: BACKGROUND

1. Where do you currently work? (please name the facility)

2. Do you now or have you ever worked with youthful offenders incarcerated in prison (either in the Youthful Offender Program or elsewhere)?

   Yes / No

3. If you have never worked with youthful offenders incarcerated in prison, are you familiar with the Youthful Offender Program (YOP)?

   Yes / No

SECTION B: YOUTHFUL OFFENDERS

4. The following are thought of as goals of incarceration. What do you believe are the goals of the Youthful Offender Program? Please rank them in order of importance on a scale of 1-4 with 1 as "most important" and 4 as "least important". (Example: Placing a "1" in front of deterrence would indicate that you believe deterrence to be the most important goal of the Youthful Offender Program.)

   _____ deterrence (a sentencing philosophy seeking to prevent criminal acts by making an example of persons convicted of crimes)
   _____ incapacitation (a sentencing philosophy seeking to remove the offender from society)
   _____ punishment
   _____ rehabilitation (a sentencing philosophy seeking to reintegrate the offender into society)

5. How important is specialized officer training to being able to manage and control youthful offenders?

1	2	3	4	5	6	7
Not important						Extremely important

6. In your opinion, should staff working with youthful offenders participate in specialized training designed for those working with youthful offenders?

   Yes / No

7. How important is the separation of youthful offenders from adult offenders as a management tool? (please circle your response)

1	2	3	4	5	6	7
Not important						Extremely important

8. To what extent do you treat youthful offenders differently than adult offenders?

1	2	3	4	5	6	7
Not at all differently						Very differently

9. Compared to adult offenders, how much supervision do youthful offenders need?

1	2	3	4	5	6	7
Much less supervision						Much more supervision

10. Do you feel the need to explain rules and consequences in greater detail to youthful offenders than to adult offenders?

Yes / No

11. Do youthful offenders typically receive more disciplinary actions than adult offenders?

Yes / No

12. In general, how serious are the typical infractions committed by youthful offenders?

1	2	3	4	5	6	7
Not at all serious						Extremely serious

13. Compared to adult offenders, how serious are the typical infractions committed by youthful offenders?

1	2	3	4	5	6	7
Much less serious						Much more serious

14. How common is in-prison gang activity among youthful offenders?

1	2	3	4	5	6	7
Not at all common						Extremely common

15. How serious a concern is youthful offender participation in in-prison gang activity?

1	2	3	4	5	6	7
Not at all serious						Extremely serious

16. Do you believe in general that youthful offenders have more needs (i.e., educational difficulties, family issues, mental health problems, etc.) than adult offenders?

    Yes / No

17. Do you believe in general that the needs that youthful offenders have are more severe than those of adult offenders?

    Yes / No

18. Which of the following, if any, do you believe are typical problems of youthful offenders? (check all that apply)

    _____ drug and/or alcohol abuse
    _____ educational difficulties (poor achievement, learning disorders, low IQ, dropped out)
    _____ family issues (parental criminality, parental drug use, family violence, marital discord)
    _____ health concerns
    _____ mental health/emotional (self-esteem, identity problems, depression, self-mutilation)
    _____ physical/sexual abuse
    _____ violent behavior
    _____ other (please list) _____
    _____ other (please list) _____

19. How serious of a concern is suicide and suicide attempts by youthful offenders?

1	2	3	4	5	6	7
Not at all serious						Extremely serious

20. How helpful is the Youthful Offender Program in aiding institutional adjustment (that is, the transition from free society into the institutional division)?

1	2	3	4	5	6	7
Not at all helpful						Extremely helpful

21. How helpful is the Youthful Offender Program in aiding the transition from the youth-only YOP into the general prison population?

1	2	3	4	5	6	7
Not at all helpful						Extremely helpful

22. To what extent does the Youthful Offender Program help prepare youthful offenders for release and reintegration into society?

1	2	3	4	5	6	7
Not at all helpful						Extremely helpful

23. Do you prefer working with youthful offenders, adult offenders, or do you like working with both?

Youthful Offenders	Adult Offenders	Both Youthful and Adult Offenders

24. What do you believe are the most serious security problems when managing youthful offenders in an adult facility?

25. What could be done to solve those problems above (in question 24)?

26. What management and control procedures do you find most useful when dealing with youthful offenders?

27. If the youthful offender population continues to increase over the next few years, what changes or problems might that cause for you and your coworkers?

28. Is there anything else that TDCJ could or should do with regard to youthful offenders to facilitate their adjustment to institutional life? Please explain.

29. Is there anything else that TDCJ could or should do with regard to youthful offenders to increase their chance of success when they are released? Please explain.

30. Please use this space to write any additional comments you have regarding youthful offenders and your interactions with them.

SECTION C: DEMOGRAPHICS

31. Sex

_____ Male
_____ Female

32. Race/Ethnicity

_____ American Indian or Alaska Native
_____ Asian
_____ Black or African American
_____ Hispanic or Latino
_____ White
_____ Native Hawaiian or Other Pacific Islander
_____ Other (please specify) _____

33. Age: _____

34. Education Completed

_____ less than high school graduate
_____ high school
_____ some college
_____ college graduate or beyond

35. Years employed by the Texas Department of Criminal Justice: _____

Appendix D: Description of Disciplinary Offenses by Level

(TDCJ Information Technology Division 2002: 5-9)

Level 1

- Escape - Offender has intentionally committed an overt act resulting in the unauthorized departure from custody or has failed to return to custody following an authorized temporary leave. Unauthorized departure from a work assignment or the extended limits of a unit is included.
- Attempted Escape
- Failure to return from furlough
- Walk away
- Threatening to escape
- (Offense is idle, and will be used only for definitions of terms used with offense codes below.) Definitions of terms below: A weapon is any instrument used for the purpose of inflicting physical injury on another person; a serious injury is any injury that requires treatment beyond first aid, as determined by unit medical staff; and a non-serious injury is any injury that requires treatment up to first aid, as determined by unit medical staff.
- Offender assault with weapon – non-serious injury. (Fighting or assaulting an offender with a weapon, which results in a non-serious injury.)
- Offender assault with weapon – serious injury. (Fighting or assaulting an offender with a weapon, which results in a serious injury.)
- Offender assault without a weapon – serious injury.
- (Offense will become idle.) Assaulting an officer, or any other person who is not an offender, with or without a weapon.
- Staff assault with a weapon – non-serious injury. Assaulting an officer or any other person who is not an offender with a weapon, which results in a non-serious injury.
- Staff assault with a weapon – serious injury. Assaulting an officer or any other person who is not an offender with a weapon, which results in a serious injury.
- Staff assault without a weapon – non-serious injury. Assaulting an officer or any other person who is not an offender without a weapon, which results in a non-serious injury.
- Staff assault without a weapon – serious injury. Assaulting an officer or any other person who is not an offender without a weapon, which results in a serious injury.
- Threatening to inflict harm, physical or otherwise, on an officer or any other person who is not an offender (offenders may not be punished, however, for threatening to take action they are legally entitled to take, such as filing a grievance or lawsuit.)
- Extortion of money – Appropriation of currency by coercion, deception or violence, with intent to deprive the owner of the currency.
- Extortion of property – Appropriation of property by coercion, deception or violence, with intent to deprive the owner of the property.

- Extortion – Demand of an action by coercion, deception or violence.
- Possession of weapon - a weapon is any instrument intended to be used to inflict injury on another person.
- Sexual abuse - forcing another person, by violence or threats of violence, to perform a sexual act (a sexual act is any intentional contact between the genitals of one person and the genitals, mouth, anus, or hands of another person.)
- Riot - when an offender, with two or more persons, intentionally participates in conduct that creates danger of damage to property or injury to persons and substantially obstructs the performance of unit operations.
- Any act defined as a felony by the laws of the State of Texas, or the United States; specific reference should be made in the Disciplinary Report to the statute in question.
- Unauthorized contact with a victim - contacting without authorization the offender's victim or a member of the victim's family, if the victim was under the age of 17 at the time of the offense for which the offender is serving a sentence.
- Any act defined as a misdemeanor by the laws of the State of Texas, or the United States; specific reference should be made in the Disciplinary Report to the statute in question.
- The use or possession of narcotics, marijuana, or unauthorized drugs, including prescription drugs.
- Refusal to submit to a urinalysis.

Level 2

- The use, possession, distilling, and/or brewing of any alcoholic beverage.
- The use or possession of any intoxicating inhalants.
- Trafficking and Trading - The unauthorized buying, selling, exchange or transfer of any commodity from any individual, other than making authorized purchases from the commissary (evidence may include an excessive inventory of marketable items).
- Establishing and/or operating an unauthorized business enterprise within the Texas Department of Criminal Justice (TDCJ).
- Physical possession of and/or use of personal items and/or personal information about another, gathered by any means from a work program operated by TDCJ.
- Possession of contraband - for the purpose of these rules, contraband is:
  - any item not allowed when the offender arrived at TDCJ, not given or assigned to an offender by TDCJ, and not bought by an offender for his use from the commissary;
  - any item changed from its original condition if the change jeopardizes institutional safety or security;
  - any item which, in the judgment of TDCJ personnel, unreasonably hinders the safe and effective operation of the unit;

- any item possessed in excess of the amounts authorized;
- any item received or sent through the mail that is not approved in accordance with the TDCJ or facility Correspondence Rules;
- anything an offender is not suppose to have, like, but not limited to:
- Money;
- Items used for gambling, such as dice and playing cards;
- Books, magazines or newspapers that are not approved for an offender to have;
- Clothes that are not approved for an offender to have;

5) Handcuffs or other items used for restraining offenders, including keys.

- Use or possession of tobacco products - consists of all items such as cigars, cigarettes, snuff or similar goods prepared for smoking, chewing, dipping, or other such personal use.
- Stealing - intentionally taking any property belonging to the State or another person.
- Damaging or destroying property - intentionally damaging or destroying property belonging to the State or another person.
- Unauthorized use of State property.
- Tampering with a locking mechanism - obstructing, jamming or interfering with the operation of a locking mechanism.
- Failure to maintain possession of State-issued property - failing to maintain possession of an item issued to an offender, provided the offender had a secure place to store the item.
- Gambling - betting on the outcome of any event, including sporting contests (possession of gambling paraphernalia may be sufficient evidence).
- Sexual misconduct - engaging in sexual acts with others, engaging in sexual acts (e.g., masturbation in such a way others become aware the offender is doing so) in public, soliciting sexual acts from others, exposing an offender's anus or any part of his/her genitals with intent to arouse or gratify the sexual desire of any person, or homosexual conduct involving physical contact (e.g., kissing).
- Offender assault without a weapon – non-serious injury. Fighting without a weapon or assaulting an offender without a weapon, which results in a non-serious injury.
- Threatening to inflict harm, physical or otherwise, on another offender (offenders may not be punished, however, for threatening to take action they are legally entitled to take, such as filing a grievance or lawsuit.)
- Creating a disturbance - any act or activity that results in a significant disruption of institution operations or breach of institution security.
- Refusing or failing to obey orders - noncompliance with a legitimate order from a staff member.
- Refusing to comply with grooming standards, (shave, get a haircut, or have an extreme haircut).
- Refusing to accept a housing assignment.
- Refusal to submit to DNA specimen collection - refusal or failure to provide a blood or tissue sample for the purpose of creating a DNA record.
- Refusing to work -
  - refusing to begin a work assignment without a legitimate reason, such as illness;

- refusing to complete a work assignment (or obey an order from a work supervisor to perform a certain task) without a legitimate reason, such as illness;
- failure to complete a reasonable amount of an offender's work assignment within a reasonable period of time;
- sleeping on the job;
- e. reporting late to work, without a legitimate reason.

- Refusing to attend school or complete school assignments -
- Refusing to attend an academic or vocational program in which the offender is enrolled, without a legitimate reason such as illness;
- refusal or failure to complete a school assignment, without a legitimate reason, such as illness; sleeping in school;
  - d. reporting late to school, without a legitimate reason.
- Refusing to attend or participate in a required treatment program - a required treatment program is any program in which TDCJ requires the offender to attend and participate such as the substance abuse treatment program (to include therapeutic communities).

  - Refusal or failure to attend a required treatment program, without a legitimate reason;
  - Refusal or failure to complete treatment assignments, without a legitimate reason;
  - Reporting late to a required treatment program.
- Out of place -
  - in any unauthorized area (e.g., a cell or wing to which one is not assigned).
  - Failure to be at a designated area at a specified time (e.g., has a lay-in for a medical appointment, but goes to the library instead).
  - refusal to keep a medical appointment off the unit.
- Knowingly making false statements for the purpose of harming another person (offenders may not be punished, however, for filing a grievance or lawsuit, participating in a lawsuit, or discussing with others or writing to others about actual or potential legal action or other forms of grievance or complaint.)
- Soliciting assistance from an offender, a staff member or any other person to violate the TDCJ rules or employee rules.
- Establishing an inappropriate relationship with a staff member, an approved volunteer, or contract employee - attempting, establishing or continuing any type of personal relationship with staff or volunteers that jeopardizes, or has the potential to jeopardize the security of the agency or which compromises the effectiveness of the staff member, volunteer or contract employee.
- Soliciting money or gifts from an offender, staff member or any other person for the benefit of an offender.

Level 3

- Mutilation - physical injury to an offender's body that is self-inflicted or inflicted by others with the offender's permission, or assisting another offender in mutilating himself.
- Failing or refusing to respond to a staff member's question(s).
- Lying to a staff member.
- Use or possession of tattooing paraphernalia, or possession of an undocumented or un-inventoried tattoo.
- Unauthorized storage of property - storage of property in an unauthorized manner, as outlined in Administrative Directive 03.72 ("Guidelines for Offender Personal Property and Confiscation and Disposal of Contraband").
- Unauthorized piddling.
- Abusive treatment of an animal, including carnal relations with an animal.
- Creating unnecessary noise.
- Use of indecent or vulgar language or indecent or vulgar gestures in the presence of or directed at an employee or any person.
- Exerting any authority over another offender (other than authority inherent in the hierarchical structure of the therapeutic community setting prescribed in treatment guidelines and closely supervised by staff. Said authority does not include any form of the following):
  - Administering any punishment or other form of discipline to other offenders;
  - Granting or denying another offender access to any benefit or activity;
  - Controlling the movement or activities of other offenders;
  - Escorting another offender from one place to another, with or without a staff member, except as required by a bona fide emergency;
  - Inventorying, with or without a staff member, another offender's property or searching another offender, his living area, or his property;
  - Mailing or distributing another offender's correspondence;
  - Participating in the taking of any count, provided, however, that a clerk may record the turnout for the field officer;
  - Enforcing Institutional or State Jail Division rules or regulations, (except that it shall not be a violation of this rule to be an officer of an authorized offender organization);
  - Regularly performing the functions of a Support Service Offender (SSI) without formal assignment to an SSI job (this rule applies to offenders assigned to the Institutional Division.)
- Safety Regulations -
  - Failing to wear safety goggles when performing any grinding, chiseling, filing, chipping, or buffing operation;
  - Failing to wear hearing protection on all work stations designated as high noise level areas;
  - Failing to wear work or safety shoes when required to do so;
  - Continuing to work in an area or on any machinery or equipment that is deemed

unsafe or improperly guarded by the work supervisor or safety officer;
- Operating machines or equipment or performing any operation that has not been specifically assigned;
- Operating equipment without using the safety guards provided or removing the safety guards;
- Unauthorized fabrication, or repairing, of personal items using State equipment;
- Riding on the draw bars of farm vehicles;
- Standing up while riding in moving vehicles or allowing legs to hang over sides of trailers while moving;
- Failing to fasten seat belt when operating equipment in which seat belts have been installed;
- Riding as a passenger on a tractor or forklift;
- Operating any vehicle in an unsafe manner;
- Wearing unauthorized clothing when operating machinery;
- Not reporting safety hazard(s) to job supervisor;
- Failing to report job related injury to job supervisor.

o Violation of a written or posted TDCJ rule not contained in these rules but consistent with these rules.

o Unauthorized contact - unauthorized physical contact with any person who is not an offender.

Appendix E: Offense Categories

Violent	Homicide Sexual Assault Robbery Assault or Terroristic Threat Kidnapping
Property	Burglary Larceny Stolen Vehicle Forgery Fraud Stolen or Damaged Property Arson
Drug	Drug Possession Drug Delivery Drug Offense - Other
Other	Driving While Intoxicated Escape or Evading Arrest Family Offense Obstruction or Public Order Commercialized Sexual Offenses Sex Offense Against a Child Failure to Register as a Sex Offender Weapon Offenses Other

Bibliography

Agresti, Alan. 1996. *An Introduction to Categorical Data Analysis*. New York City, NY: John Wiley & Sons, Inc.

Allison, Paul D. 1984. *Event History Analysis: Regression for Longitudinal Event Data*. Newbury Park, CA: Sage Publications, Inc.

Berk, Richard A. and Phyllis J. Newton. 1985. "Does Arrest Really Deter Wife Battery? An Effort to Replicate the Findings of the Minneapolis Spouse Abuse Experiment." *American Sociological Review* 50(April): 253-262.

Berk, Richard A., Phyllis J. Newton, Sarah Fenstermaker Berk. 1986. "What a Difference a Day Makes: An Empirical Study of the Impact of Shelters for Battered Women." *Journal of Marriage and the Family* 28(August): 481-490.

Bishop, Donna M., Charles E. Frazier, and John C. Henretta. 1989. "Prosecutorial Waiver: Case Study of a Questionable Reform." *Crime and Delinquency* 35(2): 179-201.

Blossfeld, Hans-Peter and Gotz Rohwer. 2002. *Techniques of Event History Modeling*. Mahwah, NJ: Lawrence Erlbaum Associates, Inc., Publishers.

Champion, Dean J. 1989. "Teenage Felons and Waiver Hearings: Some Recent Trends, 1980-1988. *Crime and Delinquency* 35(4): 577-585.

Condelli, Ward S. and Robert L. Hubbard. 1994. Client Outcomes From Therapeutic Communities. Pp. 80-98 in *Therapeutic Community: Advances in Research and Application* edited by F.M Tims, George DeLeon, and Nancy Jainchill. Washington D.C.: U.S. Government Printing Office. NIDA Research Monograph 144.

Dawson, Robert O. 1996. *Texas Juvenile Law*. 4th edition. Austin, TX: Texas Juvenile Probation Commission.

Dawson, Robert O. 1988. "The Third Justice System: The New Juvenile-Criminal Justice System of Determinate Sentencing for the Youthful Violent Offender in Texas." *St. Mary's Law Journal* 19(4): 943-1016.

DeFrances, Carol J. and Kevin J. Strom. 1997. *Juveniles Prosecuted in State Criminal Courts. Bureau of Justice Statistics Selected Findings.* Washington, D.C.: U.S. Department of Justice – Bureau of Justice Statistics.

Dehejia, Rajeev H. and Sadek Wahba. 2002. "Propensity Score Matching Methods for Nonexperimental Causal Studies." *The Review of Economics and Statistics* 84(1): 151-161.

De Leon, George. 1991. "The Therapeutic Community and Behavioral Science." *International Journal of the Addicts* 25(12A): 1537-1557.

De Leon, George. 1994. "The Therapeutic Community: Toward a General Theory and Model.". Pp. 16-53 in *Therapeutic Community: Advances in Research and Application* edited by F.M Tims, George DeLeon, and Nancy Jainchill. Washington D.C.: U.S. Government Printing Office. NIDA Research Monograph 144.

Eightieth Texas Legislature. 2007. "Senate Bill 103. Relating to the Texas Youth Commission and the prosecution of certain offenses and delinquent conduct in the Texas Youth Commission and certain other criminal justice agencies; providing penalties." Retrieved May 2009 (http://www.legis.state.tx.us/BillLookup/History.aspx?LegSess=80R&Bill=SB103).

Empey, Lamar T., Mark C. Stafford, Carter H. Hay. 1999. *American Delinquency: Its Meaning and Construction.* 4th ed. Belmont, CA: Wadsworth Publishing Company.

Fritsch, Eric J., Craig Hemmens, and Tory J. Caeti. 1996. "Violent Youth in Juvenile and Adult Court: An Assessment of Sentencing Strategies in Texas." *Law and Policy* 18(1-2): 115-136.

Gideon, Lior. 2009. "What Shall I Do Now?: Released Offenders' Expectations for Supervision Upon Release." *International Journal of Offender Therapy and Comparative Criminology* 53(1): 43-56.

Griffin, Patrick, Patricia Torbet, and Linda Szymanski. 1998. *Trying Juveniles as Adults in Criminal Court: An Analysis of State Transfer Provisions.* Washington, D.C.: U.S. Department of Justice – Office of Juvenile Justice and Delinquency Prevention.

Gu, Xing Sam and Paul R. Rosenbaum. 1993. "Comparison of Multivariate Matching Methods: Structures, Distances, and Algorithms." *Journal of Computational and Graphical Statistics* 2(4): 405-420.

Harrison, Paige M. and Jennifer C. Karberg. 2003. *Prison and Jail Inmates at Midyear 2002.* Bureau of Justice Statistics Bulletin. Washington, D.C.: U.S. Department of Justice – Bureau of Justice Statistics.

Hiller, Matthew L., Kevin Knight, and D. Dwayne Simpson. 1999. "Prison-Based Substance Abuse Treatment, Residential Aftercare, and Recidivism." *Addiction* 94(6): 833-842.

Howell, James C. 1996. "Juvenile Transfers to the Criminal Justice System: State of the Art." *Law and Policy* 18(1-2): 17-60.

Inciardi, James A. and Steven S. Martin. 1997. "An Effective Model of Prison-Based Treatment for Drug-Involved Offenders." *Journal of Drug Issues* 27(2):261-279.

Inciardi, James A., Steven S. Martin, and Clifford A. Butzin. 2004. "Five-Year Outcomes of Therapeutic Community Treatment of Drug-Involved Offenders After Release From Prison." *Crime & Delinquency* 50(1): 88-107.

Kelly, William R. and Tammy S. Macy. (unpublished). "An Assessment of Special Programming Needs of Youthful Offenders Sentenced To Adult Correctional Facilities."

Knight, Kevin, D. Dwayne Simpson, Lois R. Chatham, and L. Mabel Camacho. 1997. "An Assessment of Prison-Based Drug Treatment: Texas' In-Prison Therapeutic Community Program." *Journal of Offender Rehabilitation* 24(3/4): 75-100.

Knight, Kevin, D. Dwayne Simpson, and Matthew L. Hiller. 1999. "Three-Year Reincarceration Outcomes for In-Prison Therapeutic Community Treatment in Texas." *The Prison Journal* 79(3): 337-351.

Lederman, Cindy S. 1999. "Juvenile Court: Putting Research to Work for Prevention." *Juvenile Justice* 6(2): 22-31.

Legislative Budget Board. 2009a. "Adult and Juvenile Correctional Population Projections." Austin, TX: Legislative Budget Board.

Legislative Budget Board. 2009b. "Statewide Criminal Justice Recidivism and Revocation Rates." Austin, TX: Legislative Budget Board.

Legislative Budget Board. 2007. "Statewide Criminal Justice Recidivism and Revocation Rates." Austin, TX: Legislative Budget Board.

Magill, Sherry. 1998. "Adolescents: Public Enemy #1." *Crime and Delinquency* 44(1): 121-126.

Martin, Steven S., Clifford A. Butzin, and James A. Inciardi. 1995. "Assessment of a Multistage Therapeutic Community for Drug-Involved Offenders." *Journal of Psychoactive Drugs* 27(1): 109-116.

Moffitt, Terrie E. 1993. "Adolescence-Limited and Life-Course-Persistent Antisocial Behavior: A Developmental Taxonomy." *Psychology Review* 100(4): 674-701.

National Criminal Justice Association. 1997. *Juvenile Justice Reform Initiatives in the United States: 1994-1996.* Washington, D.C.: U.S. Department of Justice – Office of Juvenile Justice and Delinquency Prevention.

National Institute on Drug Abuse. 2002. *Therapeutic Community.* National Institute on Drug Abuse Research Report Series. Washington, D.C.: U.S. Department of Health and Human Services.

Nielsen, Amie L. and Frank R. Scarpetti. 1997. "Changing the Behavior of Substance Abusers: Factors Influencing the Effectiveness of Therapeutic Communities." *Journal of Drug Issues* 27(2): 279-299.

Office of Court Administration. "Annual Statistical Report for the Texas Judiciary Fiscal Years 1997-2008." Retrieved March 2009.

Pompi, Kenneth F. 1994. "Adolescents in Therapeutic Communities: Retention and Posttreatment Outcome." Pp. 128-160 in *Therapeutic Community: Advances in Research and Application* edited by F.M Tims, George DeLeon, and Nancy Jainchill. Washington D.C.: U.S. Government Printing Office. NIDA Research Monograph 144.

Poulos, Tammy Meredith and Stan Orchowsky. 1994. "Serious Juvenile Offenders: Predicting the Probability of Transfer to Criminal Court." *Crime and Delinquency* 40(1): 3-17.

Powers, Daniel A. and Yu Xie. 2008. *Statistical Methods for Categorical Data Analysis*. 2nd Edition. London: Emerald Books.

Prendergast, Michael L., Elizabeth A. Hall, Harry K. Wexler, Gerald Melnick, and Yan Cao. 2004. "Amity Prison-Based Therapeutic Community: 5-Year Outcomes." *The Prison Journal* 84(1): 36-60.

Rosenbaum, Paul R. and Donald B. Rubin. 1985. "The Bias Due to Incomplete Matching." *Biometrics* 41: 103-116.

Rosenbaum, Paul R. and Donald B. Rubin. 1983. "The Central Role of the Propensity Score in Observational Studies for Causal Effects." *Biometrika.* 70(1): 41-55.

Sabol, William J., Todd D. Minton, and Paige M. Harrison. 2007. Prison and Jail Inmates at Midyear 2006. Bureau of Justice Statistics Bulletin. Washington, D.C.: U.S. Department of Justice – Bureau of Justice Statistics.

Seventy-fourth Texas Legislature. 1995. "House Bill 327. Relating to the juvenile justice system, including the adjudication and disposition of children; providing for civil and criminal penalties." Retrieved May 2009. (http://www.legis.state.tx.us/BillLookup/History.aspx?LegSess=74R&Bill=HB327).

Shepherd, Robert E. Jr. 1999. "The Juvenile Court at 100 Years: A Look Back." *Juvenile Justice* 6(2):13-21.

Singer, Simon I. 1993. "The Automatic Waiver of Juveniles and Substantive Justice." *Crime and Delinquency* 39(2): 253-261.

Smith, Herbert L. 1997. "Matching with Multiple Controls to Estimate Treatment Effects in Observational Studies." *Sociological Methodology* 27:325-353.

Snyder, Howard and Melissa Sickmund. 2006. *Juvenile Offenders and Victims: 2006 National Report.* Washington, D.C.: National Center for Juvenile Justice.

Snyder, Howard and Melissa Sickmund. 1999. *Juvenile Offenders and Victims: 1999 National Report.* Washington, D.C.: U.S. Department of Justice – Office of Juvenile Justice and Delinquency Prevention.

Strom, Kevin J. 2000. *Profile of State Prisoners under Age 18, 1985-97*. Bureau of Justice Statistics Special Report. Washington, D.C.: U.S. Department of Justice – Bureau of Justice Statistics.

Sunset Advisory Commission. 2009. *Commission Decisions: Texas Youth Commission, Texas Juvenile Probation Commission, Office of Independent Ombudsman.* Austin, Texas: Sunset Advisory Commission.

Swartz, James A., Arthur J. Lurigio, and Scott A. Slomka. 1996. "The Impact of IMPACT: An Assessment of the Effectiveness of a Jail-Based Treatment Program." *Crime and Delinquency* 42(2): 553-573.

Texas Criminal Justice Policy Council. 2001. *The Impact of Progressive Sanction Guidelines: Trends Since 1995*. Austin, Texas: Criminal Justice Policy Council.

Texas Criminal Justice Policy Council. 1999. *An Overview of Juvenile Certification in Texas*. Austin, Texas: Criminal Justice Policy Council.

Texas Department of Criminal Justice. "Rehabilitation and Reentry Programs Division: Courage Program for Youthful Offenders." Retrieved March 2009 (http://www.tdcj.state.tx.us/pgm&svcs-yop.htm).

Texas Department of Criminal Justice. 2009. "Evaluation of Offenders Released in Fiscal Year 2005 That Completed Rehabilitation Tier Programs." Texas: Texas Department of Criminal Justice.

Texas Department of Criminal Justice. 2008. *Fiscal Year 2008 Statistical Report*. Texas: Texas Department of Criminal Justice.

Texas Department of Criminal Justice. 2004. *Offender Orientation Handbook*. Texas: Texas Department of Criminal Justice.

Texas Department of Criminal Justice. 1997. *Offender Orientation Handbook*. Texas: Texas Department of Criminal Justice.

Texas Department of Criminal Justice Information Technology Division. 2002. *Code Reference*. Texas: Texas Department of Criminal Justice.

Texas Family Code, Title 3. "Juvenile Justice Code." Retrieved March 2009 (http://www.statutes.legis.state.tx.us/).

Texas Human Resources Code, Chapter 61, Section 61.079. "Referral of Violent and Habitual Offenders for Transfer." Retrieved May 2009 (http://www.statutes.legis.state.tx.us/).

Torbet, Patricia McFall, Richard Gable, Hunter Hurtst IV, Imogene Montgomery, Linda Szymanski, and Douglas Thomas. 1996. *State Responses to Serious and Violent Juvenile Crime.* Washington, D.C.: U.S. Department of Justice – Office of Juvenile Justice and Delinquency Prevention.

Wexler, Harry K. 1995. "The Success of Therapeutic Communities for Substance Abusers in American Prisons." *Journal of Psychoactive Drugs* 27:27-66.

Wexler, Harry K., Gregory P. Falkin, and Douglas S. Lipton. 1990. "Outcome Evaluation of a Prison Therapeutic Community for Substance Abuse Treatment." *Criminal Justice and Behavior* 17(1): 71-92.

Wexler, Harry K., and Craig T. Love. 1994. "Therapeutic Communities in Prison." Pp. 181-208 in *Therapeutic Community: Advances in Research and Application*, edited by F.M Tims, George DeLeon, and Nancy Jainchill. Washington D.C.: U.S. Government Printing Office. NIDA Research Monograph 144.

Wexler, Harry K., George De Leon, George Thomas, David Kressel, and Jean Peters. 1999a. "The Amity Prison TC Evaluation: Reincarceration Outcomes." *Criminal Justice and Behavior* 26(2): 147-167.

Wexler, Harry K., Gerald Melnick, and Yan Cao. 2004. "Risk and Prison Substance Abuse Treatment Outcomes: A Replication and Challenge." *The Prison Journal* 84(1): 106-120.

Wexler, Harry K., Gerald Melnick, Lois Lowe, and Jean Peters. 1999b. "Three-Year Reincarceration Outcomes for Amity In-Prison Therapeutic Community and Aftercare in California." *The Prison Journal* 79(3): 321-336.

Wexler, Harry K. and Ronald Williams. 1986. "The Stay 'N Out Therapeutic Community: Prison Treatment for Substance Abusers." *Journal of Psychoactive Drugs* 18: 221-229.

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